

**REORGANIZATION PROPOSALS
FOR THE
JOINT CHIEFS OF STAFF**

H E A R I N G S
BEFORE THE
INVESTIGATIONS SUBCOMMITTEE
OF THE
COMMITTEE ON ARMED SERVICES
HOUSE OF REPRESENTATIVES
NINETY-EIGHTH CONGRESS
FIRST SESSION

HEARINGS HELD JUNE 14, 23, AND 29, 1983



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1983

INVESTIGATIONS SUBCOMMITTEE

BILL NICHOLS, Alabama, *Chairman*

ABRAHAM KAZEN, Jr., Texas

NICHOLAS MAVROULES, Massachusetts

MARVIN LEATH, Texas

RICHARD RAY, Georgia

C. ROBIN BPITT, North Carolina

SAMUEL S. STRATTON, New York

DAN DANIEL, Virginia

LES ASPIN, Wisconsin

LARRY J. HOPKINS, Kentucky

BOB STUMP, Arizona

DANIEL B. CRANE, Illinois

DAVID O'B. MARTIN, New York

JOHN R. KASICH, Ohio

JOHN F. LALLY, *Counsel*

ARCHIE D. BARRETT, *Professional Staff Member*

CONTENTS

CHRONOLOGICAL LIST OF HEARINGS

	Page
Tuesday, June 14.....	1
Thursday, June 23.....	87
Wednesday, June 29.....	105

PRINCIPAL WITNESSES WHO APPEARED IN PERSON OR SUBMITTED WRITTEN STATEMENTS

Barrow, Gen. Robert H., Commandant of the Marine Corps.....	60
Gabriel, Gen. Charles A., Chief of Staff of the Air Force.....	60
Meyer, Gen. Edward C., Chief of Staff of the Army.....	60
Moorer, Adm. Thomas H., U.S. Navy (ret.), former Chairman of the Joint Chiefs of Staff.....	105
Nichols, Hon. Bill, a Representative from Alabama, chairman of the Investi- gations Subcommittee.....	1
Skelton, Hon. Ike, a Representative from Missouri: Statement.....	46, 87
Written statement.....	49
Taylor, Gen. Maxwell D., U.S. Army (ret.), former Chairman of the Joint Chiefs of Staff.....	86
Written statement.....	91
Vessey, Gen. John W., Jr., U.S. Army, Chairman of the Joint Chiefs of Staff: Statement.....	60
Written statement.....	62
Watkins, Adm. James D., Chief of Naval Operations.....	60

EXHIBITS

Letter, May 19, 1983, from Secretary of Defense Caspar W. Weinberger to the Honorable Bill Nichols supporting the administration's legislative proposal on the organization of the Joints Chiefs of Staff.....	3
Letter, April 18, 1983, from General Counsel of the Department of Defense William H. Taft IV to Speaker of the House of Representatives Hon. Thomas P. O'Neill, Jr. with the following attachments: (1) a draft bill to amend title 10 with respect to the organization of the Joints Chiefs of Staff and the Joint Staff; (2) sectional analysis of the draft bill. Note: The draft administration bill, when introduced, became H.R. 3145 dated May 25, 1983.	10
Investigations Subcommittee bill, 97th Congress, H.R. 6954, August 10, 1982, cited as the "Joint Chiefs of Staff Reorganization Act of 1982".....	13
Speech by the Honorable Richard C. White, chairman, Investigations Subcom- mittee, Committee on Armed Services, 97th Congress, Congressional Record, August 16, 1982, explaining the legislative intent of H.R. 6954.....	27
Bill introduced by the Honorable Ike Skelton, April 14, 1983, H.R. 2560, cited as the "Military Command Reorganization Act of 1983".....	31
Excerpt from testimony of former Secretary of Defense Robert S. McNamara before the Committee on Armed Services, May 19, 1983.....	52
H.R. 3718, the Joint Chiefs of Staff Reorganization Act of 1983.....	131

JOINT CHIEFS OF STAFF REORGANIZATION

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
INVESTIGATIONS SUBCOMMITTEE,
Washington, D.C., Tuesday, June 14, 1983.

The subcommittee met, pursuant to notice, at 9:45 a.m., in room 2212, Rayburn House Office Building, Hon. Bill Nichols (chairman of the subcommittee) presiding.

OPENING STATEMENT OF HON. BILL NICHOLS, A REPRESENTATIVE FROM ALABAMA, CHAIRMAN, INVESTIGATIONS SUBCOMMITTEE

Mr. NICHOLS. The subcommittee will come to order.

Let me state to the witness and those in attendance that we have a good bit of competition this morning for members. The Democratic Caucus is being held at this hour and the Budget Committee is meeting. We appreciate Mr. Kazen's attendance, and we will proceed.

In early 1982, Secretary of Defense Caspar Weinberger and Gen. David C. Jones, who was then the Chairman of the Joint Chiefs of Staff, appeared before the Committee on Armed Services in a closed hearing on the fiscal year 1983 budget. During that hearing, General Jones revealed that he believed there were fundamental flaws in the structure of the Joint Chiefs of Staff which prevented it from performing adequately. Subsequently, General Jones was joined by Gen. Edward C. Meyer, the Army Chief of Staff, in his condemnation of the JCS organization.

Prompted by these unprecedented criticisms from incumbent members of the JCS, the Investigations Subcommittee conducted a comprehensive inquiry into the matter later in 1982. Those hearings resulted in a bill intended to overcome the most pressing problems identified during the hearings. The bill was reported by the Committee on Armed Services and passed the House. It died in the Senate at the close of the 97th Congress.

A crucial factor missing last year was an expression of the administration's position on JCS reorganization. This year the administration has developed such a position and submitted a legislative proposal for our consideration.

Recently, Secretary Weinberger met informally with several members of the Investigations Subcommittee and explained the administration proposal. Subsequently, Secretary Weinberger sent the subcommittee a letter for the record formally explaining the proposal. Without objection, Secretary Weinberger's letter and related documents will be entered in the record.

Today, the Investigations Subcommittee resumes its examination of the organization of the national military command structure. In effect, we have before us three alternatives: The administration's proposal, last year's bill, and a more far-reaching measure advanced by the Honorable Ike Skelton of Missouri.

In exploring these alternatives, the members of the subcommittee should recall that the bill we reported last year was criticized as being too modest to overcome the problems identified by a majority of the witnesses during the many weeks in which we received testimony last year. Yet the administration's proposal before us is much more timid than our 97th Congress bill. We shall need to find out why the administration believes that the few changes it is recommending will correct the rather fundamental flaws identified in the hearings last year.

On the other hand, we will need to explore with Representative Skelton and, later, Gen. Maxwell Taylor why we should dissolve the present organization and start over, as they propose, without first attempting more moderate remedies within the present framework.

Our first witness this morning will be Representative Skelton. Members of the subcommittee have copies of his bill in their folders. It is H.R. 2560, the Military Command Reorganization Act of 1983.

The bill incorporates a number of the proposals advanced by witnesses who appeared before the subcommittee last year. I want to commend Representative Skelton at this time for recognizing an area of our defense posture where improvement may be needed and working diligently to insure that result.

After Representative Skelton is finished, the subcommittee will hear from the Joint Chiefs of Staff.

[Following are documents detailing the proposals discussed in Chairman Nichol's opening statement.]

Letter, May 19, 1983, from Secretary of Defense Caspar W. Weinberger to the Honorable Bill Nichols supporting the administration's legislative proposal on the organization of the Joints Chiefs of Staff.

Letter, April 18, 1983, from General Counsel of the Department of Defense William H. Taft, IV to Speaker of the House of Representatives Honorable Thomas P. O'Neill, Jr. with the following attachments: (1) a draft bill to amend Title 10 with respect to the organization of the Joints Chiefs of Staff and the Joint Staff; (2) sectional analysis of the draft bill. Note: The draft administration bill, when introduced, became H.R. 3145 dated May 25, 1983.

Investigations Subcommittee bill, 97th Congress, H.R. 6954, August 10, 1982, cited as the "Joint Chiefs of Staff Reorganization Act of 1982."

Speech by the Honorable Richard C. White, Chairman, Investigations Subcommittee, Committee on Armed Services, 97th Congress, Congressional Record, August 16, 1982, explaining the legislative intent of H.R. 6954.

Bill introduced by the Honorable Ike Skelton, April 14, 1983, H.R. 2560, cited as the "Military Command Reorganization Act of 1983."



THE SECRETARY OF DEFENSE

WASHINGTON, THE DISTRICT OF COLUMBIA

19 MAY 1983

Honorable Bill Nichols
Chairman, Investigations Subcommittee
Committee on Armed Services
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The Administration's legislative proposal on the organization of the Joint Chiefs of Staff (JCS) represents an important Defense initiative. Its importance derives not only from the legislative changes it recommends, but also from those it does not recommend.

It may be useful to review briefly at the outset the events that led up to the Department's proposal.

Both the Congress's and the Administration's interest in the organization and operation of the Joint Chiefs of Staff was stimulated during the 97th Congress by the proposals of General David C. Jones for modifications in the statutes governing the authority and operation of the JCS. This distinguished officer, who was concluding eight years of service as a member of the JCS, reviewed the operation of the Joint Chiefs of Staff based on his many years of military service. His evaluation was accompanied by several legislative recommendations that he considered likely to improve the effectiveness of JCS. Hearings held by this Subcommittee on H.R. 6954, 97th Congress, the bill that incorporated General Jones' recommendations, stimulated much thought and discussion among military and civilian authorities on national security matters. Many of those who testified supported these recommendations for change, some offered proposals that would go further, and others expressed opposition to any legislative changes.

In response to an invitation from the Subcommittee to offer my views on H.R. 6954, I sought the advice of the current Joint Chiefs of Staff before arriving at any conclusions. On the basis of the results of careful consideration of this matter by the Joint Chiefs of Staff, and their unanimous recommendations to me, the DoD legislative proposal was drafted and submitted to Congress. That proposal,

therefore, has the endorsement of the Joint Chiefs of Staff and reflects my own philosophy of proceeding cautiously with changes in the system that has provided Presidents and Secretaries of Defense with competent military advice for more than 30 years, while maintaining effective civilian control of the military.

The criteria applied in the JCS study that led to our recommendations may be of interest. I directed the JCS to consider specifically the following questions:

- Can we conduct military operations better with a changed organization than with the present one? Will the transition to wartime operations be better than under the present system?
- Will we receive better advice?
- Will the advice be timely?
- Would the changed organization better support the requirements of the commanders of the unified and specified commands?
- Will it enable us to allocate resources more wisely and effectively than the present system?
- Will the suggested changes continue to maintain civilian control of the U.S. military?

You should know also that in applying these criteria the Joint Chiefs assessed the issues and arrived at their conclusions personally and without either Joint Staff or military staff involvement.

It is important to note before considering the detailed provisions in our bill that the legislative proposal is offered as a complement to various management initiatives that have and will be taken to ensure the continued effectiveness of the Joint Chiefs of Staff. Several of the management initiatives proposed by the JCS have already been put into effect; others remain under consideration.

Of the legislative changes recommended as a result of the study and proposed by the Administration, perhaps the most important are in sections 124 and 142 of Title 10 of the United States Code. These changes have the effect of formally inserting the Chairman of the Joint Chiefs of Staff in the chain of command. Under current procedures established by the Department of Defense, orders of the President or the Secretary of Defense are transmitted to the combatant commands

through the Joint Chiefs of Staff, which may also issue orders by the authority and direction of the Secretary of Defense. The de facto role of the Chairman of the Joint Chiefs of Staff in serving as the link between the Secretary of Defense and the combatant commands is nowhere officially recognized, and the Chairman is explicitly prohibited by statute from exercising military command over any of the armed forces. The Department of Defense legislative proposal would correct this anomaly and ensure the efficiency of the chain of command by recognizing the role of the highest ranking officer of the armed forces in transmitting the orders of the President and the Secretary of Defense to the combatant commands. Clarification of this kind is essential to avoid any confusion or untimely debate of matters that may prove vital to the very survival of this nation.

The other general subject area of legislation that was identified as being in need of modification concerns certain statutory restrictions on the Joint Staff. It is, of course, the work of the Joint Staff that provides the essential support for the recommendations and advice of the Joint Chiefs of Staff. Under the current law an officer on the Joint Staff, including its Director, is limited during peacetime to a three year maximum tour of duty, with reassignment to the Joint Staff not permitted under any circumstances for the Director and precluded for three years for other officers. Under the Department of Defense proposal the maximum tour would be extended to four years, with reassignment routinely authorized after two years. Immediate reassignment with the approval of the Secretary of Defense is also made possible for any number of officers on the Joint Staff, thereby overturning the 30 officer limitation on such reassignments imposed by the current law. In addition, the prohibition on the reassignment of the Director of the Joint Staff is rescinded, along with the 400 officer limitation on the total size of the Joint Staff.

The foregoing proposed modifications in the statutory restrictions on the Joint Staff are specifically designed to improve the functions of that organization by:

1. Eliminating the artificial limit of 400 officers in the Joint Staff. To satisfy the ever increasing complexity of the vital military issues faced by the Joint Staff it has been necessary over the years to create the Organization of the Joint Chiefs of Staff to provide necessary ancillary staff work in support of the 400 officer Joint Staff. To permit greater interchange of personnel and avoid artificial organizational arrangements and restrictions, the 400

officer limitation on the Joint Staff should be eliminated to authorize flexibility essential to the smooth functioning of that organization.

2. Permitting officers of the Joint Staff to function for a longer period after learning their jobs on that Staff and before rotating to other military duties. The greater complexity and variety of military problems faced by the Joint Staff makes it highly desirable to increase the standard tour of duty from the current three years to four years.
3. Authorizing military officers in the Joint Staff to remain at their assignments beyond the normal tour period when the Secretary of Defense determines that continuation is in the public interest. Broad reassignment authority is essential to the flexibility required when, for example, officers on the Joint Staff are on the verge of making important contributions in vital areas of national defense just as their normal tour of duty is about to terminate. Reassignment for an appropriate period would permit the completion of those tasks that otherwise might have to be assumed by newly assigned personnel unfamiliar with the complexities of a problem, project, or subject area.
4. Allowing reassignment of a former Joint Staff officer after two years in another assignment. This would permit more efficient exploitation of the talents of those officers whose aptitudes for Joint Staff duty were demonstrated in a previous tour. The earlier return to Joint Staff will improve chances that an officer's knowledge of the issues faced by that organization has not grown so stale during the period between assignments to require extensive reorientation.
5. Eliminating the restriction against the continuation or recall to duty of the Director of the Joint Staff. Although the need for continuation of the services of the Director of the Joint Staff beyond the normal proposed four year period is not

likely to be frequent, it is desirable to have that option when unusual circumstances make it desirable to have continuity in this position or to gain the services of a former Director to meet an urgent need.

These proposals for legislative changes are evidently modest. They do not entail any radical alteration in the structure of the JCS. The current members of the JCS do not believe radical changes are necessary to the effective functioning of the organization, nor do I. The DoD legislative proposal does not contain many of the changes found in other bills introduced in the 97th and 98th Congress; I will attempt to explain our reasons for not embracing most of those proposals in our bill. First, I will discuss the provisions of H.R. 6954, the bill that was reported favorably by your Subcommittee in the 97th Congress and subsequently passed by the House of Representatives.

Many of the provisions of H.R. 6954 require changes that can be, or have been, accomplished without legislative modifications. They are, in other words, management changes affecting administrative matters that come within the existing discretionary authority of the Secretary of Defense or the Joint Chiefs of Staff. Reporting of dissenting views to the President or the Secretary of Defense by members of the Joint Chiefs of Staff, for example, which H.R. 6954 would expressly authorize, requires no legislative change; it is explicitly a responsibility of the Chairman under present law.

The provision in H.R. 6954 for the creation of the position of Deputy Chairman of the Joint Chiefs of Staff, by contrast, would indeed require a legislative change. The need for such a position, however, has not been demonstrated to my satisfaction nor to the satisfaction of the current Joint Chiefs of Staff. The present practice for dealing with the absence or unavailability of the Chairman of the Joint Chiefs of Staff is to authorize one of the Chiefs of Staff to serve as Acting Chairman for a three-month period, after which that responsibility is rotated to another Chief. This procedure has worked satisfactorily in recent months, but other systems can be and have been employed successfully. For example, Admiral James Holloway, III in his testimony before your Subcommittee last year describes an arrangement by which he served as the designated Acting Chairman for two one-year periods, at any time the Chairman was absent or unavailable during that period. Under this kind of system the Chief designated to serve as Acting Chairman is expected to adjust his schedule so that he is present whenever the Chairman is absent or unavailable. This kind of flexibility is, in our view, preferable to dedicating another four star officer to the role of Deputy Chairman of the Joint Chiefs of Staff.

The proposal to establish by legislation a Senior Strategy Advisory Board was rejected as unnecessary on the basis of our study. The former members of the Joint Chiefs of Staff or former commanders of Unified or Specified Commands, who would serve on the proposed Board, are already available to provide advice, and recommendations on matters of military tactics and strategy. There is no need to establish yet another advisory committee, with the attendant bureaucratic trappings, in order to obtain this kind of help. There is presently no difficulty in consulting any retired officer, whether on a special committee or not, whenever the need arises. Experience demonstrates that career habits of "service-to-country" continue in retirement, so that these retired officers are generous in spending their time and energy whenever called upon for advice or recommendations. We find nothing to be gained by establishing a formal statutory institution to do the same thing. An additional concern would be the overlap, duplication and confused lines of authority and responsibility that would inevitably result from having two bodies presenting military advice.

Other proposals have as a common theme the perceived need to relieve the Chiefs of the Services of the responsibility for providing the planning and advice that is now the statutory function of the Joint Chiefs of Staff. Advocates of these proposals would substitute a body of advisers made up of experienced military officers, perhaps in a final tour of duty, and perhaps supplemented by civilian experts in national security matters, to recommend military strategy, force development, and advice on the allocation of military resources. Service Chiefs would be limited to the task of running their own services in connection with their secretaries. In other words, they would no longer be "dual hatted," as they currently are.

The major disadvantage with this type of proposal is that it separates responsibility from advice. There is considerable benefit derived from the forced discipline on the advisor who must consider his advice in the light of his responsibilities. The Service Chiefs are in the best position to establish priorities and make choices among competing needs and to avoid the luxury of theoretical solutions at unacceptable costs. Moreover, the President and Secretary of Defense would be less likely to hear in person the views and concerns of the Service Chiefs who have the responsibility for organizing, training, and equipping the forces for use by the unified and specified combatant commands. Therefore, I am not convinced that a case has been made for this separation; many witnesses before your Committee last year share my skepticism.

In addition, I am troubled by the concept in one of the proposals for a National Command Authority under the control of a Chief of Staff who serves as the principal adviser to the President, the National Security Council, and the Secretary of Defense. I think it is worth considering whether so much has changed since 1949 that we should be willing to overturn the Congressional admonition in section 2 of the National Security Act against "a single Chief of Staff over the armed forces" and "an overall armed forces general staff." Although we can be grateful that the American military tradition differs from that in many other countries by its consistent respect for civilian authority, the wise exercise of civilian authority is dependent on the soundness of the advice it receives from its highest ranking military officers. The stifling of divergent viewpoints through the homogenizing processes of a National Command Authority, speaking through a Chief of Staff, may deprive civilian authority of the information it needs to make the best national security choices for the American people.

In summary, it is the position of the Department of Defense, supported by the current Joint Chiefs of Staff, that improvements in the operation of the Joint Chiefs of Staff, to the extent they are necessary, can and should come primarily from management initiatives undertaken within the current statutory framework. Legislative changes should be limited to those recommended in the DoD proposal. Before adopting any of the more dramatic proposals for reorganization of the Joint Chiefs of Staff, it is our view that this approach should be tested. In an area of such extreme sensitivity under the Constitution as civilian control of the armed forces, we should move cautiously in tinkering with institutional arrangements that have served this nation well in the past. Positive actions are being taken to enhance the operation of the Joint Chiefs of Staff, and I believe that these actions will be much more effective if Congress passes the Administration's legislative proposal.

Sincerely,



We appreciated the very good meeting with you & your committee



GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE

WASHINGTON, D.C. 20301

18 APR 1983

Honorable Thomas P. O'Neill, Jr.
Speaker of the House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

Enclosed is a draft of proposed legislation, "To amend title 10, United States Code, to place the Chairman of the Joint Chiefs of Staff in the national military chain of command, and to remove limitations on the Joint Staff of the Joint Chiefs of Staff."

This proposal is part of the legislative program of the Department of Defense for the 98th Congress. The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. It is recommended that the proposal be enacted by the Congress.

Purpose of the Legislation

The purpose of the proposed legislation is twofold. The proposal would place the Chairman of the Joint Chiefs of Staff in the national military chain of command, and would promote the efficiency of the Joint Staff by eliminating statutory restrictions that are disadvantageous to the effectiveness of that organization.

Presently, the Chairman of the Joint Chiefs of Staff is the central figure in military planning; the rendering of military advice to the President, the National Security Council, and the Secretary of Defense; and the execution of orders emanating from the President as the Commander in Chief.

The Chairman of the Joint Chiefs of Staff manages the Joint Staff and its Director on behalf of the Joint Chiefs of Staff. 10 U.S.C. §143(c) (1976). The Chairman presides over the Joint Chiefs of Staff, 10 U.S.C. §142(b) (1) (1976); and he communicates, at the direction of the President or the Secretary of Defense, orders to the commanders of the unified and specified combatant commands.

The purpose of the proposed legislation with respect to the Chairman is to make explicit his functions as a link between the Secretary of Defense and the unified and specified combatant commands. The Department of Defense Reorganization Act of 1958, Pub. L. No. 85-599, §5(b), 72 Stat. 514, 518, amended the National Security Act of 1947, ch. 343, §202, 61 Stat. 495, 500 (as amended 1949, 1950; current version of §202(j) at 10 U.S.C. §124 (1976)) to make explicit the pattern of establishment, composition, functions, administration, and support of the unified and specified commands in relation to the Military Departments, which assign the forces to these combatant commands. 10 U.S.C. §124(c) (1976) provides that these commands are responsible to the President as Commander in Chief, and to the Secretary of Defense, who is the "principal assistant to the President in all matters relating to the Department of Defense," 10 U.S.C. §133(b) (Supp. V 1981). The method of communicating with the combatant commands was not specified by statute. The practice has been for the Secretary of Defense to communicate with the combatant commands through the Chairman of the Joint Chiefs of Staff, and the proposed legislation would formalize this arrangement by making appropriate amendments to sections 124(c), 142(b), and 142(c) of title 10, United States Code.

The other portion of the legislative proposal is designed to make the Joint Staff a more effective instrumentality by easing or eliminating restrictions that reduce its efficiency. Thus, the bill would enhance continuity in the Staff by amending section 143(a) of title 10 and adding a section 143(e), to increase the maximum peacetime tour of duty on the Staff from three to four years. In addition, these amendments would provide that officers could be reassigned to the Joint Staff during peacetime two years after a previous tour of duty on the Staff. Currently, a minimum interval of three years between assignments on the Staff applies during peacetime, and the Secretary of Defense may make exceptions to this minimum interval for only up to 30 officers serving on the Staff at any one time.

Similarly, the bill would amend section 143(b) of title 10 and add section 143(e) to extend the maximum peacetime tour of duty of the Director of the Joint Staff from three to four years, and to remove the prohibition against reassignment of the Director to the Staff in peacetime after completion of his tour. These changes would contribute to greater institutional stability and afford the Government the full use of those officers who have demonstrated a high level of competence in staff work.

In addition, the legislative proposal would amend section 143(a) of title 10 to remove the limit of 400 officers on the size of the Joint Staff. In the context of a continuously increasing workload, greater demands for sophisticated military planning, and the organization of our combatant forces into unified and specified commands, arbitrary numerical limitations are no longer appropriate. In the case of the Joint Staff, as well as other assignments to duty, the goal should be the wisest use of military manpower among competing requirements, with due recognition to the increasingly joint utilization of personnel in the combatant commands.

Cost and Budget Data

Enactment of this legislation would cause no increase in budgetary requirements for the Department of Defense.

Sincerely,



William H. Taft, IV

Enclosures

BEST COPY AVAILABLE

A BILL

To amend title 10, United States Code, to place the Chairman of the Joint Chiefs of Staff in the national military chain of command, and to remove limitations on the Joint Staff of the Joint Chiefs of Staff.

1 Be it enacted by the Senate and House of Representatives
 2 of the United States of America in Congress assembled, That
 3 section 124 of title 10, United States Code, relating to
 4 combatant commands, is amended --

5 (1) by striking out "shall" in clause (2) of
 6 subsection (a); and

7 (2) by adding at the end of subsection (c) the
 8 following new sentences:

9 "The chain of command runs from the President
 10 to the Secretary and through the Chairman,
 11 Joint Chiefs of Staff, to the combatant commands.
 12 Orders to combatant commands shall be issued by the
 13 President or the Secretary through the
 14 Chairman, Joint Chiefs of Staff."

15 SEC. 2. Section 142 of title 10, United States Code,
 16 relating to the Chairman of the Joint Chiefs of Staff, is amended

17 (1) in subsection (b) --

18 (A) by striking out "and" at the end of clause (2);

19 (B) by striking out the period at the end of clause (3)

20 and inserting in lieu thereof ";and"; and

1 (C) by adding after clause (3) the following
2 new clause:

3 "(4) serve in the national military chain
4 of command pursuant to section 124(c) of this title."; and
5 (2) in subsection (c) by inserting ", except as
6 provided by section 124(c) of this title, over" immediately
7 after "or" in the second sentence

8 SEC. 3. Section 143 of title 10, United States Code,
9 relating to the Joint Staff, is amended --

10 (1) in subsection (a) --

11 (A) by striking out "consisting of not more
12 than 400" in the first sentence and inserting in lieu
13 thereof "of"; and

14 (B) by striking out the last three sentences
15 and inserting in lieu thereof the following: "The
16 tenure of the members of the Joint Staff is subject
17 to the approval of the Chairman of the Joint Chiefs
18 of Staff.";

19 (2) in subsection (b) by striking out the second
20 and third sentences; and

21 (3) after subsection (d) by adding the following
22 new subsection:

23 "(e) No officer who is assigned or detailed
24 to duty on the Joint Staff may serve for a tour of
25 duty of more than four years. However, the Secretary
26 of Defense may extend such a tour of duty if he finds

1 that the extension is necessary in the public interest.
2 No officer may be assigned or detailed to duty on
3 the Joint Staff within two years after relief from
4 that duty except upon a finding by the Secretary of Defense
5 that the assignment or detail is necessary in the public
6 interest. This subsection does not apply in time
7 of war declared by Congress or of national emergency
8 declared by the President.".

SECTIONAL ANALYSIS
OF A BILL

"To amend title 10, United States Code, to place the Chairman of the Joint Chiefs of Staff in the national military chain of command, and to remove limitations on the Joint Staff of the Joint Chiefs of Staff."

SEC. 1.

Clause (1) strikes out as surplusage "shall" in section 124(a)(2) of title 10, United States Code. This results in no substantive change in the existing statute.

Clause (2) amends section 124(c) of title 10 to insert the Chairman of the Joint Chiefs of Staff into the national military chain of command. Thus, the chain of command would run from the President to the Secretary of Defense and through the Chairman of the Joint Chiefs of Staff to the commanders of the unified and specified combatant commands.

SEC. 2.

Clause (1) provides for a new clause (4) in section 142(b) of title 10, United States Code, to specify that the duties of the Chairman of the Joint Chiefs of Staff include serving in the national military chain of command in accordance with section 124(c) of title 10, as amended by clause (2) of section 1 of the bill.

Clause (2) amends section 142(c) of title 10, to make clear that the duty of the Chairman of the Joint Chiefs of Staff to serve in the national military chain of command in accordance with section 124(c) of title 10, as amended by clause (1) of section 1 of the bill, is an exception to the prohibition in section 142(c) against the Chairman's exercising military command over any of the armed forces.

SEC. 3.

Clause (1) amends section 143(a) of title 10, United States Code, to delete the limit of 400 officers on the size of the Joint Staff. Clause (1) also amends section 143(a) to delete the limit of three years on the peacetime tenure of members of the Joint Staff, and to delete peacetime restrictions on assignment of an officer to the Joint Staff within three years after completion of a previous tour of duty on that Staff. The restrictions on tenure and reassignment that are eliminated by clause (1) are replaced by the restrictions in section 143(e) of title 10, as added by clause (3) of section 3 of the bill.

Clause (2) amends section 143(b) of title 10 to delete the limit of three years on the peacetime tenure of the Director of the Joint Staff, and to delete the prohibition on reassignment of the Director to the Joint Staff during peacetime after completion of his tour of duty. The restriction on tenure and prohibition on reassignment that are eliminated by clause (2) are replaced by the restrictions in section 143(e) of title 10, as added by clause (3) of section 3 of the bill, since the Director of the Joint Staff is an officer who is assigned or detailed to duty on the Joint Staff within the meaning of the new section 143(e).

Clause (3) amends section 143 of title 10 by adding a new subsection (e), which provides that the maximum tour of duty of an officer on the Joint Staff shall be four years, and that no officer may be reassigned to the Joint Staff within two years after relief from duty on the Staff. The Secretary of Defense may waive these restrictions if he finds that a waiver is necessary in the public interest. Section 143(e) does not apply during a war declared by Congress or a national emergency declared by the President.

97TH CONGRESS
2D SESSION

H. R. 6954

To amend title 10, United States Code, to provide for more efficient and effective operation of the Joint Chiefs of Staff and to establish a Senior Strategy Advisory Board in the Department of Defense.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 10, 1982

Mr. WHITE (for himself, Mr. STRATTON, Mr. MOLLOHAN, Mr. DAN DANIEL, Mr. ASPIN, Mr. MAVEOULES, Mr. ROBERT W. DANIEL, JR., and Mr. NELLIGAN) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to provide for more efficient and effective operation of the Joint Chiefs of Staff and to establish a Senior Strategy Advisory Board in the Department of Defense.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SHORT TITLE**

4 **SECTION 1.** This Act may be cited as the "Joint Chiefs
5 of Staff Reorganization Act of 1982".

1 President, by and with the advice and consent of the Senate,
2 from the officers of the regular components of the armed
3 forces. The Chairman and Deputy Chairman may not be
4 members of the same armed force.

5 “(2) The Deputy Chairman serves at the pleasure of the
6 President for a term of up to two years and may be reap-
7 pointed in the same manner for one additional term, except
8 that in time of war declared by Congress there is no limit on
9 the number of reappointments.

10 “(b) The Deputy Chairman acts as Chairman in the ab-
11 sence or disability of the Chairman and exercises such duties
12 as may be delegated by the Chairman with the approval of
13 the Secretary of Defense. When there is a vacancy in the
14 office of Chairman, the Deputy Chairman, unless otherwise
15 directed by the President or Secretary of Defense, shall per-
16 form the duties of the Chairman until a successor is appoint-
17 ed.

18 “(c) The Deputy Chairman may attend all meetings of
19 the Joint Chiefs of Staff but may not vote on a matter before
20 the Joint Chiefs of Staff except when acting as Chairman in
21 the absence or disability of the Chairman or when there is a
22 vacancy in the office of Chairman.

23 “(d) The Deputy Chairman, while so serving, holds the
24 rank of general or, in the case of an officer of the Navy,
25 admiral. The Deputy Chairman may not exercise military

1 command over the Joint Chiefs of Staff or any of the armed
2 forces.”.

3 (2) The table of sections at the beginning of such chap-
4 ter is amended by inserting after the item relating to section
5 142 the following new item:

“142a. Deputy Chairman.”.

6 (b) Section 525(b)(3) of such title is amended by insert-
7 ing “or Deputy Chairman” after “Chairman”.

8 **JOINT STAFF**

9 **SEC. 5. (a)** Subsection (a) of section 143 of title 10,
10 United States Code, is amended to read as follows:

11 “(a)(1) There is under the Joint Chiefs of Staff a Joint
12 Staff consisting of not more than four hundred officers. The
13 members of the Joint Staff shall be selected by the Chairman
14 of the Joint Chiefs of Staff in approximately equal numbers
15 from—

16 “(A) the Army;

17 “(B) the Navy and the Marine Corps; and

18 “(C) the Air Force.

19 “(2) Selection of officers of an armed force to serve on
20 the Joint Staff shall be made by the Chairman from a list of
21 officers submitted by that armed force. Each officer whose
22 name is submitted shall be among those officers considered to
23 be the most outstanding officers of that armed force. The
24 Chairman may specify the number of officers to be included
25 on any such list.

1 “(3) Officers assigned to the Joint Staff shall be as-
2 signed for a period of three years, except that in time of war
3 there is no limit on the tenure of members of the Joint Staff.
4 Members of the Joint Staff serve at the pleasure of the Secre-
5 tary of Defense, and the tenure of a member of the Joint
6 Staff may at the discretion of the Secretary of Defense be
7 extended for a period of up to three additional years.

8 “(4) Except in time of war, officers completing a tour of
9 duty with the Joint Staff may not be reassigned to the Joint
10 Staff for a period of not less than three years following their
11 previous tour of duty on the Joint Staff, except that selected
12 officers may be recalled to Joint Staff duty in less than three
13 years with the approval of the Secretary of Defense in each
14 case. The number of such officers recalled to Joint Staff duty
15 in less than three years shall not exceed one hundred serving
16 on the Joint Staff at any one time.”.

17 (b) Subsection (c) of such section is amended by striking
18 out “, on behalf of the Joint Chiefs of Staff” and inserting in
19 lieu thereof “in the performance of those duties”.

20 (c) Subsection (d) of such section is amended by insert-
21 ing “and the Chairman” after “Joint Chiefs of Staff”.

22 (d) Such section is further amended by adding at the end
23 thereof the following new subsections:

24 “(e)(1) Subject to guidelines established by the Secre-
25 tary of Defense, each officer serving as a chief of service or

1 as the commander of a unified or specified command may
2 have an opportunity to provide formal comments on any
3 report or recommendation of the Joint Staff prepared for sub-
4 mittal to the Joint Chiefs of Staff before such report or rec-
5 ommendation is submitted to the Joint Chiefs of Staff. A
6 copy of any such comment shall, at the discretion of the offi-
7 cer submitting the comment, be included as an appendix in
8 the submittal of such report or recommendation to the Joint
9 Chiefs of Staff. For purposes of this paragraph, the chiefs of
10 service are the Chief of Staff of the Army, the Chief of Naval
11 Operations, the Chief of Staff of the Air Force, and the Com-
12 mandant of the Marine Corps.

13 “(2) The Secretary of Defense shall ensure that the
14 Joint Staff is independently organized and operated so that
15 the Joint Staff, and the members of the Joint Staff, support
16 the Chairman of the Joint Chiefs of Staff and the Joint
17 Chiefs of Staff in meeting the congressional purpose set forth
18 in the last clause of section 2 of the National Security Act of
19 1947 (50 U.S.C. 401) to provide for the unified strategic
20 direction of the combatant forces, for their operation under
21 unified command, and for their integration into an efficient
22 team of land, naval, and air forces.

23 “(f)(1) The Secretary of Defense, in consultation with
24 the Chairman, shall ensure that officer personnel policies of
25 the armed forces concerning promotion, retention, and as-

1 signment give appropriate consideration to the performance
2 of an officer as a member of the Joint Staff.

3 “(2) In the case of an officer who has served on the
4 Joint Staff and who is selected for recommendation to the
5 President for appointment to a grade above major general or
6 rear admiral, the Chairman shall submit to the President, at
7 the same time as the recommendation for such appointment is
8 submitted, the evaluation of the Chairman of the performance
9 of that officer as a member of the Joint Staff.”.

10 **SENIOR STRATEGY ADVISORY BOARD**

11 **SEC. 6. (a)(1)** Chapter 7 of title 10, United States Code,
12 is amended by adding at the end thereof the following new
13 section:

14 **“§ 178. Senior Strategy Advisory Board**

15 “(a) There is established in the Department of Defense
16 a Senior Strategy Advisory Board. The Board shall, from
17 time to time, provide such advice and recommendations on
18 matters of military strategy and tactics as it considers appro-
19 priate to the President, the Secretary of Defense, and the
20 Joint Chiefs of Staff.

21 “(b)(1) The Board shall consist of ten members appoint-
22 ed by the President from among retired officers in the grade
23 of general or admiral who, while on active duty, served as a
24 member of the Joint Chiefs of Staff or as the commander of a
25 unified or specified command.

1 “(2) Each member of the Board shall be appointed for a
2 term of five years, except that—

3 “(A) a member appointed to fill a vacancy occur-
4 ring before the expiration of the term for which his
5 predecessor was appointed shall be appointed for the
6 remainder of that term;

7 “(B) a member whose term of office has expired
8 shall continue to serve until his successor is appointed;
9 and

10 “(C) of the members first appointed, three shall be
11 appointed for a term of one year, three shall be ap-
12 pointed for a term of three years, and four shall be ap-
13 pointed for a term of five years, as designated by the
14 President at the time of appointment.

15 Members whose term has expired may be reappointed for one
16 additional term.

17 “(3) The Chairman of the Board shall be designated by
18 the President from among the members of the Board.

19 “(c) The Board shall meet regularly at the call of the
20 Chairman or a majority of the members of the Board, but not
21 less often than once each month.

22 “(d) Members of the Board are not entitled to compen-
23 sation for service on the Board but may be paid per diem and
24 travel and transportation allowances authorized under section
25 5703 of title 5.

1 “(e) The Board shall continue in existence until termi-
2 nated by law.”.

3 (2) The table of sections at the beginning of such chap-
4 ter is amended by adding at the end the following new item:
“178. Senior Strategy Advisory Board.”.

5 (b) Section 178 of title 10, United States Code, as added
6 by subsection (a), shall take effect on October 1, 1982.

August 16, 1953

Chiefs of Staff, announced in a hearing before the Armed Services Committee that he was concerned about basic shortcomings in the organization of the Joint Chiefs of Staff. He further stated that he intended to submit proposals to correct those shortcomings and would work to achieve their acceptance throughout the remaining months of his tenure and thereafter. Though the Joint military structure has received much criticism over the years, it was nevertheless unprecedented for an incumbent Chairman of the Joint Chiefs of Staff to fault the organization in such explicit terms and announce a determined reform effort. Almost as extraordinary was the subsequent action of Gen. Edward C. Meyer, the Army Chief of Staff, who joined General Jones in criticizing the present structure and suggested that the Chairman had not gone far enough in his recommendations for change.

Prompted by the actions of two of the most senior Armed Forces officers in the Nation, the Investigations Subcommittee of the Armed Services Committee began hearings on JCS reorganization on April 21, 1952. The subcommittee found near unanimous agreement that organizational problems hamper the performance of the present Joint Chiefs of Staff. But it learned that views diverge on what, if anything, should be done to correct the existing deficiencies.

This section will outline the organizational problems of the existing military structure. It will then explain the proposed Armed Services Committee approach to correcting those deficiencies through legislation and a program of more intense legislative oversight.

Mr. WHITE, Mr. Speaker, serious organizational flaws mar the performance of the Joint Chiefs of Staff. As a result, our highest military body might fail to function adequately in case of war. And, as was the case during World War II, World War I, and as far back as the Spanish-American War, we would be faced with the necessity of making fundamental changes to our military organization in the midst of a crisis. The most casual observer must realize that there may not be time for such a rearmament in a future conflict. Equally important in a continually threatening peacetime environment, timely, clear-cut, realistic, feasible, and prudent professional military advice is often not available to civilian leaders. Consequently, the influence of the military in civilian counsel has diminished over time and, because decisions must be made, has often been overshadowed by civilian analysts.

Those and many other significant criticisms of the Joint military structure are voiced persuasively by an impressive body of critics who recently shared their views with the Congress.

On February 3, 1952, Gen. David C. Jones, the Chairman of the Joint

Title 10 of the United States Code states that the Joint Chiefs of Staff "are the principal military advisers to the President, the National Security Council, and the Secretary of Defense." The advice rendered by the JCS as a corporate body at present is often inadequate. The Joint military system is slow to develop formal military positions. As a result, JCS advice often is not available when needed. When formal advice is finally rendered, its form and substance has been so diluted by the Joint staffing process, which in effect gives each service a veto on every word, that it is of little use to civilian leaders. According to former Secretary of Defense Harold Brown:

When it comes to the formal product, the papers that come up through the Joint Staff that are approved by the action officers, the planners, the various desks, and the chiefs themselves, and to which they put their signatures, are almost without exception either not very useful or the reverse of being helpful. That is, worse than nothing. I think that is the difference between the people and the system.

The advice rendered by the JCS is also faulted for a lack of realism and the absence of strategic content. The structure of the Joint Chiefs is such that the group often cannot deal real-

istically with issues which affect service interests. Those issues include matters of fundamental importance to national security: The allocation of resources to various defense missions; the unified command plan which assigns the geographical and functional responsibilities of field commanders; roles and missions of the services; and joint doctrine and training. Concerning strategic thought, witnesses suggested that the multitude of disparate responsibilities shouldered by the chiefs leaves little time or inclination for reflective strategic analysis.

Witnesses uniformly distinguished between the performance of individual service chiefs, whose personal advice was given high marks, and the performance of the JCS as a group of advisers acting collegially. Thus, the hearings clearly indicated that JCS problems are organizational in nature and by no means reflect on the competence of the members. Among the most significant of the organizational problems which the committee proposes that Congress do something about through legislation are the following:

The contradiction between the responsibilities of an individual as a member of the Joint Chiefs of Staff and as chief of his service. As a JCS member, a Chief is called upon to transcend service interest and participate in developing advice from a joint, unified military perspective—a "national" viewpoint. Yet, as a chief of service, the same individual is looked upon as its principal advocate. General Jones emphasized that:

If a chief departed a great deal and consistently, from what came up through the system—from his service—he would be in danger, as has happened in the past, of losing the support of his service.

Also contradictory is the time demanded by the dual responsibilities of the chief. Gen. Omar Bradley once indicated that he did not have time to do both jobs well. And General Meyer emphasized this point forcefully during the hearings.

The inefficiency of the Joint Staff. The quality of Joint Staff work is adversely affected by a number of restrictions. Some of these constraints are contained in present legislation; others result from the overwhelming influence emitted by service interests on the Joint military organization. In combination, the restrictions have a number of adverse results: A lot of Joint Staff continuity because assignments are legally limited to 3 years; no guarantee that the most outstanding officers will be assigned to this most important and complex of U.S. military staffs; and crippling procedural constraints that give inordinate influence to service staffs, thereby preventing the Joint Staff from authoring its own work.

Though the hearings revealed a number of other significant problems, the Armed Services Committee chooses to attack the most serious, improving

August 16, 1952

the quality of military advice, in H.R. 8954 for several reasons. The legislative measures required to remove restrictions and make the Joint military organization more independent are relatively clear cut, modest, and non-controversial. Moreover, they may possibly be sufficient in themselves with respect to necessary changes in the law because the Secretary of Defense possesses significant authority to initiate internal reorganization without resort to Congress. A larger purpose of H.R. 8954 is to encourage internal Department of Defense action. The committee intends to monitor the process through periodic oversight hearings. In the meantime, the committee would much rather err on the side of caution than to strike out into the uncharted waters of fundamental organizational change. If joint military performance does not improve sufficiently as a result of H.R. 8954 and subsequent Defense Department action, the Congress can always reexamine the organization and implement any additional changes which may be necessary.

Another reason for a modest approach is the reservations expressed by some witnesses who, despite generally acknowledging that problems exist, oppose organizational change. The bill is designed to address many of the major areas of concern voiced by advocates of reorganization while accommodating, through specific legislative provisions, the reservations of opponents. H.R. 8954 does this, however, without in any way diminishing its overall purpose of improving the quality of military advice for civilian leaders and thereby restoring the military voice to its appropriate stature in the highest councils of government.

A brief summary of the provisions in the bill illustrates the committee approach. The Chairman of the JCS would become responsible for providing military advice in his own right as well as acting as the spokesman for the Joint Chiefs of Staff and reporting to the Secretary of Defense and President those issues on which the JCS have agreed and have not agreed.

Any member of the Joint Chiefs of Staff who disagrees with military advice of the Chairman or the Joint Chiefs of Staff would be authorized to submit his views to the Secretary of Defense and, subsequently, to the President.

A Senior Strategy Advisory Board composed of retired former members of the Joint Chiefs of Staff and commanders of unified and specified commands would provide advice to the President, Secretary of Defense, and Joint Chiefs of Staff on military strategy and tactics. They would serve without compensation except for per diem and travel expenses.

To assist the JCS Chairman in carrying out his responsibilities, a deputy chairman would be created who would act as Chairman in the absence or disability of the Chairman and exercise such duties as may be delegated by the

Chairman with the approval of the Secretary of Defense. The deputy chairman would be permitted to attend JCS meetings but would participate as a full member only when acting for the Chairman in the latter's absence or disability. The Deputy Chairman would be of a different service from the Chairman.

Joint staff officers would be selected solely by the JCS Chairman from among the most outstanding service officers submitted by the respective services. The Secretary of Defense, in consultation with the Chairman, would be responsible for insuring that personnel policies of the Armed Forces concerning promotion, retention, and assignment of officers give appropriate consideration to the performance of an officer as a member of the Joint Staff. The JCS Chairman would be required to submit to the President an evaluation of the performance of an officer who had served on the Joint Staff when he was recommended for promotion above major general or rear admiral.

Length of assignment to the Joint Staff, presently limited to 3 years, could be extended at the discretion of the Secretary of Defense up to 3 additional years. The limit on the number of officers serving on the Joint Staff who had been recalled to Joint Staff duty in less than 3 years would be increased from 30 to 100.

The Joint Staff would become responsible for supporting the JCS Chairman as well as the Joint Chiefs. The Chairman's responsibility for managing the Joint Staff would continue as in present law. His management, however, must take cognizance of the Joint Staff charter and would include providing support for himself as well as the Joint Chiefs of Staff. Subject to guidelines established by the Secretary of Defense, chiefs of service and unified and specified commanders would have an opportunity to provide formal comments on Joint Staff reports or recommendations prepared for the Joint Chiefs of Staff.

The Secretary of Defense would be responsible for insuring that the Joint Staff is independently organized and operated to support the Joint Chiefs of Staff and the Chairman in meeting the congressional purposes expressed in the National Security Act of 1947 to provide for the unified strategic direction of the combatant forces, for their operation under unified command, and for their integration into an efficient team of land, naval, and air forces.

Let me now turn to one explanation of the provisions in the bill. First, provisions designed to expand and strengthen the sources of military advice.

Although the committee agrees that the dual responsibilities of service chiefs may undermine the advisory capability of the Joint Chiefs of Staff as a corporate group with respect to certain issues, it is not prepared to admit that the JCS is fatally flawed. For one

thing, a range of important issues do not involve service conflicts. Little criticism of JCS performance in those areas was heard during the hearings. Another consideration stems from review of the types of issues on which the Joint Chiefs of Staff allegedly stumble. Decisions concerning such issues as resource allocation, roles and missions, and doctrine would cause intense internal conflicts within the Department of Defense whether it were organized into services, as at present, or in some other way. Those conflicts have their counterparts in most other large organizations, both public and private. Eliminating the Joint Chiefs of Staff or installing a single military individual in its stead, to whom the JCS would provide advice, would by no means eliminate the conflicting issues which must be resolved. Such measures would merely lessen the potential influence of individuals representing the collective knowledge and experience of the organizations most qualified to judge land, sea, and air warfare issues. Consequently, the committee proposes to expand and strengthen the sources of military advice, retaining the JCS as the principal military advisers.

H.R. 8954 would accomplish the committee purpose by establishing a Senior Strategy Advisory Board, strengthening the JCS Chairman's role as a military adviser, and creating a deputy chairman to assist the Chairman in his added responsibilities.

The board will fill the void in reflective thinking on military matters emphasized by several witnesses, particularly with respect to long-range strategy. It will consist of 10 retired generals or admirals who, while on active duty, served on the Joint Chiefs of Staff or as a commander of a unified or specified command. The Board will provide such advice and recommendations on military strategy and tactics as it considers appropriate to the President, the Secretary of Defense, and the Joint Chiefs of Staff. It should be provided appropriate staff support by the Department of Defense, access to all necessary documents, and the requisite call on information from throughout the Department.

The Chairman of the Joint Chiefs of Staff is uniquely qualified to assume additional responsibilities as an adviser or championing the unified military viewpoint. He is the only member of the Joint Chiefs of Staff who has no service responsibilities. Though Chairman continues to wear the uniform of their services, experience has shown that they have traditionally assumed a joint or unified perspective in evaluation military issues, unbiased by former service ties.

H.R. 8954 makes the Chairman responsible for providing military advice in his own right and gives him access to the Joint Staff for assistance in developing his formal positions. Though

BEST COPY AVAILABLE

August 16, 1983

CONGRESSIONAL RECORD — HOUSE

H 9560

his advisory responsibility is not confined by the bill to any one area, the committee intends that the Chairman give special attention to those issues which the collegial JCS has been unable to address effectively—for example, resource allocation, roles and missions, the unified command plan, and joint doctrine and training. The committee also intends for the Chairman to forge stronger links with the unified commanders in developing his positions. He should serve as their spokesman in Washington, establishing priorities and integrating their recommendations, into a coherent set of combatant command proposals.

Strengthening the Chairman's advisory role should provide an opportunity for Defense Department action which would relieve the present burden of the service chiefs by diminishing the issues they address as members of the JCS and making it less difficult for them to arrive at joint positions articulated by the Chairman. Evolution along these lines is not meant to stifle legitimate dissent, however. To insure open channels for expression, to insure opposing views, H.R. 9564 provides that a Chief may submit any opinion in disagreement with the military advice of the Chairman or the Joint Chiefs of Staff to the Secretary of Defense, and subsequently, to the President.

Although the argument for creating a deputy chairman is strengthened by the provisions which increase the Chairman's responsibilities, establishing the position makes sense in any case. The JCS Chairman is the senior military officer in the United States. His responsibilities are in proportion to his rank. Yet, unlike the Secretary of Defense, secretaries of each service, the Chairman has no deputy. As a consequence, when he is absent the acting chairmanship is often passed among the other chiefs. Testimony revealed that it was not uncommon for the acting Chairman to change numerous times within a few days during the Chairman's absence. Adm. Carl Thor Hanson, a former Director of the Joint Staff, testified:

During one week of my Director's tour, we had, as I recall, seven changes of the Acting Chairman. There was a fairly active crisis at the time and each rotation involved an updated briefing book for the new Acting Chairman and the resultant quickly and possibly inadequately absorbed knowledge.

On more than a few occasions during my tour as Secretary Brown's Military Assistant, I recall his frustration with having to take a quickly and inadequately briefed Acting Chairman to an NSC, SEC, or PRC meeting when then-Chairman Gen. George Brown was out of town. Although theoretically any member of the Joint Chiefs of Staff should be completely conversant with all national security issues, practically the responsibilities of being a Service Chief simply preclude complete familiarity with the complex national security issues faced by the Chairman and the Secretary of Defense daily.

H.R. 9564 would correct this situation and provide added support and continuity in the performance of the Chairman's responsibilities. I now turn to provisions designed to improve staff support. First, Joint Staff personnel.

Testimony revealed a number of disincentives which at times have had the effect of discouraging officers from seeking Joint Staff assignments. Promotions of Joint Staff members have lagged. Services disagree on the caliber of the officers who should be assigned. Joint Staff influence is perceived as limited; as a result, officers who seek challenge may avoid Joint Staff service.

The committee considers the Joint Staff the preeminent U.S. military staff. The personnel provisions of H.R. 9564 are designed to insure that the committee's conviction concerning the Joint Staff become manifest in the structure of the Department of Defense. The bill clearly requires assignment of the most outstanding service officers to the Joint Staff. To insure that result, the bill provides that selection of Joint Staff assignments shall be made solely by the Chairman of the Joint Chiefs of Staff from service lists containing only officers considered to be among the most outstanding.

The bill also includes two provisions concerning promotions. First, it requires the JCS Chairman to submit an evaluation to the President of the performance of any officer who has worked on the Joint Staff and who is recommended for promotion to a grade above major general or rear admiral. Second, the bill makes the Secretary of Defense, in consultation with the Chairman, responsible for insuring that Joint Staff officers receive equitable career rewards for their performance. Because the demands and complexity of Joint Staff work require talented and dedicated officers, the committee is convinced that performance at the Joint Staff level should be considered a mark of distinction deserving special attention by promotion boards. Though no individual should be guaranteed advancement as a result of Joint Staff service, statistical analyses of serving and former Joint Staff officers should be developed and monitored to insure that Joint Staff performance is given appropriate consideration.

Next, provisions which would improve Joint Staff continuity and experience. Existing legislative provisions limiting Joint Staff assignments to 3 years and prohibiting reassignment to career insuperable obstacles to career continuity. At present, the average Joint Staff assignment is less than 30 months; that means the entire staff turns over every 2 1/2 years and the average experience level of Joint Staff officers is less than 15 months.

The legislative faults are compounded by poor Department of Defense management. General Jones indicated

that only 2 percent of the Joint Staff officers have previous Joint Staff experience. Moreover, he reported that only 13 percent of middle grade Joint Staff officers, and less than 25 percent of the colonels and Navy captains, have joint schooling.

General Jones remarked to Congressmen:

It is just as though every time you went through an election and came to Washington, you had a whole new staff and only two percent of them ever had any experience in the Congress.

H.R. 9564 relaxes the legislative restrictions on Joint Staff assignments. It provides that the Secretary of Defense may extend the 3-year assignment for as much as an additional 3 years. Also, as many as 100 Joint Staff members, as opposed to 30 at present, could return to Joint Staff duty in less than 3 years. These less restrictive provisions should afford the flexibility needed to overcome the deficiencies in Joint Staff continuity. At the same time, retaining legislative constraints on the tenure of Joint Staff assignments continues safeguards against the possibility, however remote, that the Joint Staff could evolve into a powerful, self-sustaining, elite military organization superimposed between civilian authorities and the services and combatant commands.

The bill does not address the problems of Joint Staff inexperience caused by faulty Department of Defense personnel management procedures and inattention to joint education. Several witnesses discussed these problems during the hearings. Based on their thoughtful comments, the committee is convinced of the seriousness of those problems and the necessity for corrective measures. But legislative relief is not required. Consequently, the committee intends to monitor Defense Department actions to resolve the problems relating to Joint Staff experience identified in the hearings.

Finally, I will review provisions to improve Joint Staff management and procedures, and establish a Joint Staff charter.

At present the Joint Staff is smothered by complex, voluminous operating procedures which insure that the services control the form and content of Joint Staff work. Although the Chairman manages the Joint Staff, by law, he does so on behalf of the Joint Chiefs. And the Chiefs, over time, have developed an entrenched system which protects service interests and, as a corollary, tends to convert the Joint Staff into an executive secretariat dependent on service staffs.

The following description of the joint staffing process graphically illustrates the debilitating effects of the present system. It is excerpted from an answer for the Record received from the Chairman of the Joint Chiefs of Staff.

BEST COPY AVAILABLE

August 16, 1952

General Jones. A typical joint staffing action can be illustrated by outlining how a request from the Secretary of Defense for JCS views on an important defense issue would be handled.

The Joint Staff action officer is under institutional pressure to find a position with which each of the Services can agree. . . . Likewise, the Service action officers are under institutional pressure to insure that Service roles and missions are not abridged, that major Service weapons systems are emphasized, and that a proposed strategy does not imply more than a fair share of emphasis for another Service.

The Joint Staff action officer must prepare the initial draft of the response—called the Flimsy. In doing so, he or she is bound to consider the views of the Service action officers and the appropriate CDMs. . . . Each Service representative might write a portion of the paper, a portion of the paper might be provided by a CDMC or his staff, or the Joint Staff A/O might assume the entire task. Generally, because the Service staffs are larger and have Service-unique data and analysis not available to the Joint Staff, the Joint Staff action officer is very dependent on Service Staff inputs.

Once the Flimsy is prepared, the Joint and Service action officers meet to discuss its content. . . . For a substantive paper of some length, each Service action officer may have as many as 100 recommended changes. They quickly learn the art of compromise—each agreeing to support the balance of the changes proposed by the other in return for equal support. The Joint Staff action officer then publishes a Staff paper—reflecting the consensus of the meeting. . . . Each of the action officers who worked on the Flimsy takes the Staff paper to his Service or Joint Staff planner (O-6). . . . There may be as many as 20 issues left to be resolved. The Planners generally are able to resolve all but two or three or them. The Joint Staff Planner then . . . publishes a final draft on Green paper.

The Service A/O and Planner present the Green to their Service Operations Deputy (on some occasions an additional review layer—the Deputy Operations Deputy—is added).

The Operations Deputies represent the first level of review at which a truly joint perspective is brought to bear on the issue. However, the Operations Deputies are debilitated, as are the Chiefs, and they are under great institutional pressure to represent Service as well as national interests.

Significant compromises may occur at this level of review. Yet to be resolved issues and divergent views, if any, are highlighted, and the Green is placed on the agenda for the Chiefs to consider.

The Chiefs then consider the Green, make adjustments if necessary, and send the paper to the SECDEF.

In sum, the current Joint Staff process encourages compromise, relies too heavily on Service participation, and depends on staff officers who are well vested in Service interests but are ill prepared to address issues from a joint perspective.

The committee intends that Joint Staff procedures be revised to insure its independence and focus its efforts toward achieving joint military objectives. H.R. 6954 provides that the JCS Chairman shall manage the Joint Staff in the performance of its duties. Moreover, it directs the Secretary of Defense to insure that the Joint Staff is independently organized and operated. Finally, it provides a charter for the Joint Staff which prescribes the

objective of its duties: To support the Chairman and the Joint Chiefs of Staff in meeting the purposes set forth in the National Security Act of 1947 (50 U.S.C. 401) to provide for the unified strategic direction of the combatant forces, for their operation under unified command, and for their integration into an efficient team of land, naval, and air forces. These provisions provide unmistakable authority for the Chairman to revise the current joint staffing procedures and a corresponding responsibility to do so in shaping the Joint Staff to fulfill its charter. In addition, the provisions vest ultimate responsibility in the Secretary of Defense who is charged with insuring Joint Staff independence and that the charter be followed.

H.R. 6954 also modifies the terms of reference for managing the Joint Staff. It removes the condition that the Chairman's management shall be "on behalf of the Joint Chiefs of Staff." Thus the Chairman's authority is independent of the JCS. But his management must conform to the Joint Staff charter and would be subject to challenge by the JCS if that body deems Joint Staff support inadequate to its needs. Finally, the provisions would also give the Chairman latitude to elicit Joint Staff support in the performance of his duties as a military adviser in his own right.

An additional provision insures that the Joint Staff will continue to receive information from the services and the combatant commands with respect to reports and recommendations prepared for the Joint Chiefs of Staff. As previously emphasized, the committee intends H.R. 6954 to establish conditions in which the Joint Staff is the independent author of its own work. But the committee does not intend to diminish the vital channels of communication between the Joint Staff, services, and combatant commands which are necessary to provide the basic information necessary for competent staff work. To maintain continued intimate interaction among the various military elements as well as insure that channels for dissent remain open, H.R. 6954 provides that, subject to guidelines established by the Secretary of Defense, each officer serving as a chief of service or as the commander of a unified or specified command may have an opportunity to provide formal comments on any report or recommendation of the Joint Staff prepared for submission to the Joint Chiefs of Staff before the report or recommendation is submitted.

BEST COPY AVAILABLE

88TH CONGRESS
1ST SESSION

H. R. 2560

To amend title 10, United States Code, to abolish the Joint Chiefs of Staff and establish a single Chief of Staff for the National Command Authorities, to establish a National Military Council, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 1983

Mr. SKELTON introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to abolish the Joint Chiefs of Staff and establish a single Chief of Staff for the National Command Authorities, to establish a National Military Council, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 *That this Act may be cited as the "Military Command Reor-*
- 4 *ganization Act of 1983".*

1 SEC. 2. Subtitle A of title 10, United States Code, is
2 amended by inserting after chapter 1 the following new
3 chapter:

4 **“CHAPTER 2—NATIONAL COMMAND AUTHORITIES**

“Sec.

“111. National Command Authorities.

“112. Chain of command.

5 **“§ 111. National Command Authorities**

6 “The National Command Authorities consist of the
7 President and the Secretary of Defense.

8 **“§ 112. Chain of command**

9 “Subject to the direction of the President, the military
10 chain of command runs—

11 “(1) from the President to the Secretary of De-
12 fense;

13 “(2) from the Secretary of Defense to the Chief of
14 Staff of the National Command Authorities; and

15 “(3) from the Chief of Staff of the National Com-
16 mand Authorities to the commanders of the unified and
17 specified combatant commands.”.

18 SEC. 3. (a) The Joint Chiefs of Staff and the position of
19 Chairman of the Joint Chiefs of Staff are abolished. The
20 functions, powers, and duties of the Joint Chiefs of Staff and
21 of the Chairman of the Joint Chiefs of Staff are transferred to
22 and vested in the Chief of Staff of the National Command
23 Authorities. The Joint Staff is reconstituted as the Joint Mili-

1 tary Staff of the National Command Authorities under the
2 Chief of Staff of the National Command Authorities.

3 (b) Chapter 5 of title 10, United States Code, is amend-
4 ed to read as follows:

5 **“CHAPTER 5—NATIONAL COMMAND AUTHORITIES**
6 **STAFF**

“Sec.

“141. Chief of Staff.

“142. Deputy Chiefs of Staff.

“143. Joint Military Staff.

7 **“§ 141. Chief of Staff**

8 “(a) There is a Chief of Staff of the National Command
9 Authorities. The Chief of Staff shall be appointed by the
10 President, by and with the advice and consent of the Senate,
11 from the officers of the regular components of the armed
12 forces. The Chief of Staff serves at the pleasure of the Presi-
13 dent for a term of two years and may be reappointed in the
14 same manner for one additional term, except that in time of
15 war declared by Congress there is no limit on the number of
16 reappointments.

17 “(b) The Chief of Staff is the principal military adviser
18 to the President, the National Security Council, and the Sec-
19 retary of Defense. While holding office, the Chief of Staff
20 outranks all other officers of the armed forces.

21 “(c) Subject to the authority and direction of the Presi-
22 dent and the Secretary of Defense, the Chief of Staff shall—

1 “(1) advise the President and the Secretary of
2 Defense on matters related to current military policy,
3 strategy, and major Department of Defense programs
4 and on all major matters related to current forces;

5 “(2) prepare strategic plans and provide for the
6 strategic direction of the armed forces;

7 “(3) prepare joint logistic plans and assign logistic
8 responsibilities to the armed forces in accordance with
9 those plans;

10 “(4) recommend the establishment of unified com-
11 mands in strategic areas;

12 “(5) review the major material and personnel re-
13 quirements of the armed forces in accordance with
14 strategic and logistic plans;

15 “(6) formulate policies for the joint training of the
16 armed forces;

17 “(7) formulate policies for coordinating the mili-
18 tary education of members of the armed forces;

19 “(8) make recommendations for representation of
20 the United States on the Military Staff Committee of
21 the United Nations in accordance with the Charter of
22 the United Nations; and

23 “(9) perform such other duties as the President or
24 the Secretary of Defense may prescribe.

1 “(d) In carrying out his duties, the Chief of Staff shall
2 consult with and shall give close attention to the views and
3 recommendations of—

4 “(1) the service chiefs (the Chief of Staff of the
5 Army, the Chief of Naval Operations, the Chief of
6 Staff of the Air Force, and the Commandant of the
7 Marine Corps); and

8 “(2) the commanders of the unified and specified
9 combatant commands.

10 **“§ 142. Deputy Chiefs of Staff**

11 “(a)(1) There are two Deputy Chiefs of Staff of the Na-
12 tional Command Authorities. The Deputy Chiefs of Staff
13 shall be selected by the Chief of Staff of the National Com-
14 mand Authorities with the approval of the Secretary of De-
15 fense from the officers of the regular components of the
16 armed forces. The Deputy Chiefs of Staff serve at the pleas-
17 ure of the Secretary of Defense for a term of two years and
18 may be selected in the same manner for one additional term,
19 except that in time of war declared by Congress there is no
20 limit on the number of terms.

21 “(2) To the extent practicable, the Deputy Chiefs of
22 Staff should not be members of the same armed force and
23 should not be a member of the same armed force as the Chief
24 of Staff.

1 “(b) One of the Deputy Chiefs of Staff shall be designat-
2 ed by the Chief of Staff, with the approval of the Secretary of
3 Defense, to act as Chief of Staff in the absence or disability of
4 the Chief of Staff. When there is a vacancy in the office of
5 Chief of Staff the Deputy Chief of Staff so designated, unless
6 otherwise directed by the President or Secretary of Defense,
7 shall perform the duties of the Chief of Staff until a successor
8 is appointed.

9 “(c) The Deputy Chiefs of Staff shall perform such
10 duties and exercise such powers as the Chief of Staff pre-
11 scribes.

12 “(d) Each Deputy Chief of Staff, while so serving, holds
13 the rank of general or, in the case of an officer of the Navy,
14 admiral without vacating his permanent grade.

15 **“§ 143. Joint Military Staff**

16 “(a)(1) There is under the Chief of Staff of the National
17 Command Authorities a Joint Military Staff of the National
18 Command Authorities. The members of the Joint Military
19 Staff shall be selected (as provided in paragraph (2)) by the
20 Chief of Staff in approximately equal numbers from—

21 “(A) the Army;

22 “(B) the Navy and the Marine Corps; and

23 “(C) the Air Force.

24 “(2) Selection of officers of an armed force to serve on
25 the Joint Military Staff shall be made by the Chief of Staff

1 from a list of officers submitted by that armed force. Each
2 officer whose name is submitted shall be among those officers
3 considered to be the most outstanding officers of that armed
4 force. The Chief of Staff may specify the number of officers to
5 be included on any such list.

6 “(3) Officers assigned to the Joint Military Staff shall be
7 assigned for a period of three years, except that in time of
8 war there is no limit on the tenure of members of the Joint
9 Military Staff. Members of the Joint Military Staff serve at
10 the pleasure of the Secretary of Defense, and the tenure of a
11 member of the Joint Military Staff may at the discretion of
12 the Secretary of Defense be extended for a period of up to
13 three additional years.

14 “(4) Except in time of war, officers completing a tour of
15 duty with the Joint Military Staff may not be reassigned to
16 the Joint Military Staff for a period of not less than three
17 years following their previous tour of duty on the Joint Mili-
18 tary Staff, except that selected officers may be recalled to
19 Joint Military Staff duty in less than three years with the
20 approval of the Secretary of Defense in each case. The
21 number of such officers recalled to Joint Military Staff duty
22 in less than three years may not exceed one hundred serving
23 on the Joint Military Staff at any one time.

24 “(b) The Joint Military Staff shall perform such duties
25 as the Chief of Staff prescribes.

1 “(c) The Joint Military Staff shall be organized and op-
2 erated along conventional staff lines to support the Chief of
3 Staff in discharging his assigned responsibilities.

4 “(d) The Secretary of Defense shall ensure that the
5 Joint Military Staff is independently organized and operated
6 so that the Joint Military Staff, and the members of the Joint
7 Military Staff, support the Chief of Staff in meeting the con-
8 gressional purpose set forth in the last clause of section 2 of
9 the National Security Act of 1947 (50 U.S.C. 401) to pro-
10 vide for the unified strategic direction of the combatant
11 forces, for their operation under unified command, and for
12 their integration into an efficient team of land, naval, and air
13 forces.

14 “(e) The Secretary of Defense, in consultation with the
15 Chief of Staff, shall ensure that officer personnel policies of
16 the armed forces concerning promotion, retention, and as-
17 signment give appropriate consideration to the performance
18 of an officer as a member of the Joint Military Staff.”.

19 (c) Section 124 of such title is amended—

20 (1) by striking out “Joint Chiefs of Staff” in sub-
21 section (a) and inserting in lieu thereof “Chief of Staff
22 of the National Command Authorities”; and

23 (2) by inserting “and to the Chief of Staff of the
24 National Command Authorities” in subsection (c) after
25 “to the Secretary”.

1 SEC. 4. (a) Chapter 7 of title 10, United States Code, is
2 amended by adding at the end thereof the following new sec-
3 tion:

4 **“§ 178. National Military Council**

5 “(a)(1) There is in the Department of Defense a Nation-
6 al Military Council. The Council shall provide to the Presi-
7 dent and the Secretary of Defense—

8 “(A) advice on matters pertaining to national se-
9 curity policy, national and military strategy, and the
10 responsibilities of the national command authorities;
11 and

12 “(B) independent assessments of the way in which
13 national security policies and defense programs are car-
14 ried out by the Department of Defense.

15 “(2) The Council shall, from time to time, make such
16 recommendations, and such other reports, as it considers ap-
17 propriate or as the President or Secretary of Defense may
18 require within its functions under paragraph (1). The Council
19 shall provide advice on its own initiative as well as by re-
20 sponding to requests from the President and Secretary of De-
21 fense. Members of the Council may act individually in provid-
22 ing advice and assessments in the same manner as the Coun-
23 cil may act as a body.

24 “(b)(1) The Council shall consist of five members of the
25 armed forces appointed by the President, by and with the

1 advice and consent of the Senate, from among officers of the
2 regular components of the armed forces in grades above
3 major general or rear admiral.

4 “(2) The President, by and with the advice and consent
5 of the Senate, may appoint one additional member of the
6 Council from among persons who are not members of the
7 armed forces on active duty.

8 “(3) Officers appointed to the Council under paragraph
9 (i) shall be selected from among those officers on the active-
10 duty list or on the retired list who are particularly suited (by
11 reason of education, training, military and other national se-
12 curity experience, and intellect) to perform the duties of the
13 Council. The same standard shall be applied to the selection
14 of an additional member of the Council under paragraph (2).

15 “(4) Each member of the Council shall be appointed for
16 a term of three years, except that—

17 “(A) a member appointed to fill a vacancy occur-
18 ring before the expiration of the term for which his
19 predecessor was appointed shall be appointed for the
20 remainder of that term;

21 “(B) a member whose term of office has expired
22 shall continue to serve until his successor is appointed;
23 and

24 “(C) of the members first appointed, two shall be
25 appointed for a term of one year and two shall be ap-

1 pointed for a term of two years, as designated by the
2 President at the time of appointment.

3 A member of the Council whose term on the Council has
4 expired may be reappointed for one additional term.

5 “(c) The Chairman of the Council shall be designated by
6 the President from among the members of the Council ap-
7 pointed under subsection (b)(1). In addition to his other duties
8 as a member of the Council, the Chairman, subject to the
9 authority and direction of the President and Secretary of
10 Defense, shall—

11 “(1) preside over the Council;

12 “(2) provide agenda for the meetings of the Coun-
13 cil;

14 “(3) assign study tasks to members of the Coun-
15 cil;

16 “(4) assist the members of the Council in carrying
17 out their business; and

18 “(5) otherwise provide for the prompt and timely
19 fulfillment of the responsibilities of the Council.

20 “(d) The Chairman of the Council, subject to the author-
21 ity and direction of the President, shall represent the Council
22 at meetings of the National Security Council.

23 “(e)(1) Officers serving on the Council under an appoint-
24 ment under subsection (b)(1), while so serving, have the
25 grade of general or, in the case of an officer of the Navy, the

1 grade of admiral without vacating their permanent grade.
2 Such officers, while so serving, are additional numbers in
3 grade for all purposes and may not be counted against any
4 limitation on the number of officers in grade or the number of
5 general and flag officers who may be on active duty.

6 “(2) A member of the Council appointed under subsec-
7 tion (b)(2) shall receive basic pay at the annual rate of basic
8 pay applicable to persons serving in positions in level IV of
9 the Executive Schedule under section 5315 of title 5.

10 “(f)(1) An officer on the retired list who is appointed to
11 the Council under subsection (b)(1) shall be recalled to active
12 duty and shall serve on active duty while a member of the
13 Council.

14 “(2) A member of the Council appointed under subsec-
15 tion (b)(1), upon the completion of that officer's service on the
16 Council, shall be retired or, in the case of a retired officer,
17 shall be released from active duty.”.

18 (b) The table of sections at the beginning of such chap-
19 ter is amended by adding at the end the following new item:

“178. National Military Council.”.

20 SEC. 5. (a) Section 619 of title 10, United States Code,
21 is amended by adding at the end thereof the following new
22 subsection:

23 “(e) A selection board convened under section 611(a) of
24 this title to consider officers for promotion to the grade of
25 brigadier general or commodore shall give substantial weight

1 to the service of an officer on the Joint Staff, on the Joint
2 Military Staff, and in other assignments involving joint mili-
3 tary experience.”.

4 (b) Section 616 of such title is amended by adding at the
5 end thereof the following new subsection:

6 “(e)(1) In the case of a selection board convened under
7 section 611(a) of this title to consider officers for promotion
8 to the grade of brigadier general or commodore, the Chief of
9 Staff of the National Command Authorities may recommend
10 for promotion, from among officers serving on the Joint Mili-
11 tary Staff who are on the list of officers to be considered by
12 the board, a number of officers not in excess of 5 per centum
13 of the maximum number that the board may recommend for
14 promotion. In any event, the Chief of Staff may recommend
15 for promotion one such officer.

16 “(2) Officers recommended for promotion by the Chief of
17 Staff under this subsection shall be considered for purposes of
18 section 617(a) of this title and all other purposes to have been
19 recommended for promotion by the selection board.”.

20 SEC. 6. (a) Section 525(b)(3) of title 10, United States
21 Code, is amended by striking out “Chairman of the Joint
22 Chiefs of Staff” and inserting in lieu thereof “Chief of Staff
23 or a Deputy Chief of Staff of the National Command Authori-
24 ties, a member of the National Military Council,”.

1 (b) Section 171(a)(7) is amended by striking out "Chair-
2 man of the Joint Chiefs of Staff" and inserting in lieu thereof
3 "Chief of Staff of the National Command Authorities".

4 (c) Sections 264 and 268(c)(2) of such title are amended
5 by striking out "Joint Chiefs of Staff" and inserting in lieu
6 thereof "Chief of Staff of the National Command Authori-
7 ties".

8 (d) Section 743 of such title is amended by striking out
9 "Chairman of the Joint Chiefs of Staff" and inserting in lieu
10 thereof "Chief of Staff of the National Command Authori-
11 ties".

12 (e) Section 5081 of such title is amended—

13 (1) by striking out "Chairman of the Joint Chiefs
14 of Staff" in subsection (b) and inserting in lieu thereof
15 "Chief of Staff of the National Command Authorities";
16 and

17 (2) by striking out subsection (d).

18 (f) The tables of chapters at the beginning of subtitle A,
19 and at the beginning of part I of subtitle A, of such title are
20 amended—

21 (1) by inserting after the item relating to chapter
22 1 the following new item:

"2. National Command Authorities..... 111";

23 and

24 (2) by striking out the item relating to chapter 5
25 and inserting in lieu thereof the following:

"5. National Command Authorities Staff..... 141".

1 (g)(1) Section 413 of title 37, United States Code, is
2 amended to read as follows:

3 "§ 413. Chief of Staff of the National Command Authori-
4 ties

5 "The Chief of Staff of the National Command Authori-
6 ties is entitled to the allowances provided by law for the
7 Chief of Staff of the Army."

8 (2) The item relating to such section in the table of sec-
9 tions at the beginning of chapter 7 of such title is amended to
10 read as follows:

"413. Chief of Staff of the National Command Authorities."

11 SEC. 7. This Act and the amendments made by this Act
12 shall take effect at the end of the one hundred and twenty
13 day period beginning on the date of the enactment of this Act
14 or on October 1, 1983, whichever is later.

○

Mr. NICHOLS. Mr. Skelton, we are delighted to have you with us, and you may proceed at this point.

Mr. KAZEN. Before our colleague begins, I am going to have to excuse myself. I chair a Committee on Water and Power Resources, and I have several witnesses that have come in from the Western part of the country, so I must be there.

Mr. NICHOLS. Would that be Texas?

Mr. KAZEN. No, sir, Utah, Arizona and California. If it were Texas I would have taken care of that situation already and saved them the trouble to come up here.

Let me commend our colleague, Mr. Skelton, for his interest in this subject. For a couple of years he has been very tenacious in following the imposition of his ideas. He has investigated the situation, and he is here before us this morning to testify. I have already looked at his testimony; and hopefully I will be able to return before you finish your meeting this morning. So if you do not mind, I will excuse myself now and I assure you, Mr. Skelton, that I am very interested in your testimony. I am taking it with me and will talk to you about it later.

Mr. NICHOLS. Thank you.

STATEMENT OF HON. IKE SKELTON, A REPRESENTATIVE FROM MISSOURI

Mr. SKELTON. Thank you, Mr. Chairman.

Mr. Chairman, as has been indicated, I have a formal statement that I wish to be entered in the record.

Mr. NICHOLS. Without objection, your statement will be entered as part of the record.

Mr. SKELTON. Mr. Chairman, the famous British historian, Liddell Hart, once said, "There are over 2,000 years of experience to tell us that the only thing harder than getting a new idea into the military mind is to get an old one out." I think that we should begin our hearing today with that thought.

Back in the War Between the States, it was only at the direction of President Lincoln himself that the Union Forces began to use Springfield repeating rifles. After the war they reverted back to the single-shot breech loaders.

Mr. Chairman, despite the fact that the Wright Brothers demonstrated the feasibility of powered heavier-than-air flight in 1903, the United States was compelled to rely on war planes built by foreign manufacturers all through World War I. Despite the fact that the Wright Brothers were Americans, and demonstrated the feasibility of powered flight, the possibilities of air power were unrecognized by our military until a rather graphic demonstration by someone named Billy Mitchell in the 1920's.

The American, Dr. Robert Goddard, pioneered rocketry during the 1920's and 1930's, but it was German ingenuity, not the American military ingenuity, that put his theories to a practical test in a very devastating way in World War II.

Mr. Chairman, despite the development of tanks, automatic weapons, and air power, the U.S. Armed Forces maintained horse cavalry units through the 1940's. In fact, the current Commander

in Chief, our President, served in such a reserve unit on the eve of World War II.

At the close of the Second World War, President Truman and General Marshall wanted a truly unified Armed Forces under a new Department of Defense. But resistance, particularly by the Navy, led to compromises. Many of the structural flaws that we will discuss today in the Joint Chiefs of Staff system came about as a result of those compromises made back in 1947 which had the effect of preserving autonomy for the individual services.

Mr. Chairman, I have supplied to the committee a long history of the need for reform which begins in April 1944 with the McNarney, plan goes down through 1960 to the Symington study on reorganization of the Defense Department for President-elect Kennedy, and extends all the way through the Jones reorganization proposal and last year's series of hearings. This committee is beginning another chapter in this long line of history.

I would hope, Mr. Chairman, that we can put an end to this history and truly reform the way that business is being done in the Pentagon.

There are certain basic flaws that the present system has, and we must address ourselves to them if we want an adequate, a strong and an effective national defense.

The inherent flaws are:

The conflict of interest caused by "dual hatting" of the service chiefs.

The inability of the Joint Chiefs of Staff to provide clear and concise and timely and responsive military advice.

The inability of the "dual hatted" service chiefs to do two jobs well—first to be a member of the Joint Chiefs, and then, second, to be the service chief.

The personnel policies which lead to too much inexperience on the Joint Staff and too little reward for outstanding performance in a joint assignment.

Thus I introduced the bill H.R. 2560. I urge your favorable consideration of it. It defines the national command authorities and establishes for the first time the military chain of command in law.

It abolishes the Joint Chiefs of Staff and abolishes the position of the Chairman of the Joint Chiefs of Staff. It transfers the functions and the powers and the duties of the Joint Chiefs of Staff and its Chairman to a Chief of Staff of the National Command Authorities.

It reconstitutes the present Joint Staff as the Joint Military Staff of the National Command Authorities under the Chief of Staff of the National Command Authorities.

It establishes the Chief of Staff as the principal military adviser to the President, the National Security Council, and the Secretary of Defense.

It provides for two Deputy Chief of Staffs.

It establishes promotion and appointment policies to insure that officers serving in the Joint Military Staff will be among the most outstanding of each service.

It establishes a National Military Council to provide the President and the Secretary of Defense with first, advice on management, matters pertaining to national security policy, national military strategy, and the responsibilities of the National Command

Authorities and second, independent assessments of the way in which national security policies are carried out.

The Council will consist of five distinguished military leaders either recalled from retirement or on their last duty assignment. At the discretion of the President it will have one civilian. Each of these will have the equivalent to a four-star rank.

Mr. Chairman, I wish that I could say that all of this is original with me. It is not. It came about as a result of listening to those who have served in the halls of the Pentagon, not just in an officer capacity, but in the capacity of Chairman of the Joint Chiefs.

I refer to Maxwell Taylor, and to David Jones. Recently, Chairman Jones retired, and before he retired he gave us some advice. I would like to bring you up to date on the advice and refresh your recollection of the advice given by General Jones.

He says that the military advice given by the Joint Chiefs of Staff is not timely, it is not crisp, it is not very useful or very influential. He said, therefore, the national leadership often must look elsewhere for advice. He also said why it was not useful. That is because the service interests dominate the Joint Chiefs of Staff recommendations at the expense of broad national military interests. This results in no meaningful Joint Chiefs of Staff advice on resource allocation, on budget levels, on force structures, on new weapons, on joint doctrine, on joint training, and on unified command plans.

He cited the reasons as the contradictory roles of the Chiefs.

First, they are Chiefs of the services that they head. They uphold the traditions and the capabilities and the esprit de corps of that particular service. Second, they are members of the Joint Chiefs of Staff. As such they are supposed to subordinate their service interest to broader considerations. He points out that this is impossible.

There is also a time conflict, as he points out. Service chiefs do not have the time to perform both roles. Each one is a full-time job.

There is also a conflict between the service and the joint responsibilities reflected in the Joint Staff. Officers come from the services and they go back to their services, retaining close ties to those services.

I think that we should, Mr. Chairman, listen to the thoughts and advice of General Jones and the thoughts and recommendations of General Taylor. I hope that the legislation that I offer is the very best of Maxwell Taylor and David Jones.

The question comes, Mr. Chairman, will this be better for our defense? We all know that the train is coming down the track, that the American people are going to want the defense dollar to be spent much more wisely and much better in the days and years ahead. You will recall, Mr. Chairman, in the testimony of former Secretary of Defense McNamara just a few days ago, and you put the question to him, he said that this proposal, the proposal that we have before us today, could save up to 5 percent of the defense budget. It is my considered opinion after a great deal of discussion with various military leaders, both active and retired, that we could save up to 10 percent of the military budget if it is enacted into law and carried out correctly.

Mr. Chairman, I would like to quote from an article, if I may, at this time:

An excellent case for strengthening the authority of the Joint Chiefs of Staff has been made by General David C. Jones. His recommendations echo a well-established pattern. His is but the latest expression of a frustration long felt by senior military officers—for all the reasons cited by General Jones—that there must be a better way to shape alternatives and to provide the best possible military advice. Virtually every serious student and practitioner has recommended that the Joint Chiefs of Staff be strengthened. The near unanimity of their views can no longer be ignored, particularly in the light of grave new dimensions to the problem of national security. It should not, therefore, be surprising that the four service chiefs found it somewhat difficult to sit down three times a week and act as a corporate body against some of the very remedies they individually were seeking to apply within their respective services. Given budgets which provide for less than minimum defense needs the Chiefs often found themselves unable to act responsively in their joint role except to the detriment of legitimate service requirements. This "dual hating" dictated by law confers real power with the service chief hat and little ability to influence policy, programing, and budget issues with the joint hat. This is the root cause of the ills which so many distinguished officers have addressed these past 35 years.

Mr. Chairman, that quote is from one of the greatest military leaders of our century, and one of the truly outstanding thinkers that has worn the American uniform, the Chief of Staff of the Army, Gen. Edward C. Meyer.

Mr. Chairman, I submit the recommendations to you. This is a long and arduous trail for reform within the military, and one can only look to the past and see the flaws of the past. It is up to us now to put an end to this history. You know, they say stepping in a hole one time is not so bad, but when you step in that hole a second time, that is bad, you are at fault. Let us not step in the same hole, let us be prepared and have a strong military that can save money, work together, plan programs, and not be at each other's respective interests so that we can truly have a unified and strong military for this decade and for the decades ahead.

I thank the chairman for the opportunity to be with you today.

[Following is the prepared statement of the Honorable Ike Skelton together with the list of reform proposals and an excerpt of testimony by former Secretary of Defense Robert S. McNamara mentioned in Representative Skelton's statement.]

WRITTEN STATEMENT OF HON. IKE SKELTON

Mr. Chairman, Members of the Subcommittee, Liddell Hart once said, "There are over two thousand years of experience to tell us that the only thing harder than getting a new idea into the military mind is to get an old one out." Specific examples from our own nation's military history unfortunately bear this out:

It was only on the direct orders of President Lincoln that Union forces in the War Between the States began to use Springfield repeating carbines. Following the War, they returned to their single-shot breech loaders.

Despite the fact that the Wright Brothers demonstrated the feasibility of powered flight by heavier-than-air craft in 1903, the United States was compelled to rely on war planes of foreign manufacture throughout World War I. Indeed, the possibilities of air power were unrecognized by our military until a rather graphic demonstration by Billy Mitchell in the 1920's.

The American, Dr. Robert Goddard, pioneered rocketry during the 1920's and 1930's, but it was German, not U.S., ingenuity which put his theories to practical test during World War II.

Despite the development of tanks, automatic weapons, and air power, the U.S. armed forces maintained horse cavalry units through the 1940's. In fact, our current Commander-in-Chief served in one such unit on the eve of World War II.

At the close of World War II, President Truman and General Marshall wanted a truly unified armed forces, under a new Department of Defense. But resistance, particularly by the Navy, led to compromises. Many of the structural flaws in today's

Joint Chiefs of Staff system stem from these compromises, which had the effect of preserving autonomy for the individual services.

These examples show the historic reluctance of our military to embrace necessary change. Therefore, reforms must often be imposed from outside the military establishment, namely by us here in Congress. I followed with interest this Subcommittee's sixteen hearings on reorganization of the Joint Chiefs of Staff last year. You are to be congratulated for taking on this difficult subject, for exploring it in depth, and for returning to the subject this year. As I reviewed the testimony from last year's hearings, I noticed that the witnesses cited a number of basic flaws in the present system. I will mention only a few:

The inherent conflict of interest caused by the "dual hatting" of the service chiefs.

The inability of the JCS to provide clear, concise, timely, and responsive military advice.

The inability of the "dual hatted" service chiefs to do two jobs well—to be a member of the Joint Chiefs and to be a service chief.

Personnel policies which have led to too much inexperience on the Joint Staff, and too little reward for outstanding performance in a joint assignment.

When I began serving on the Procurement Subcommittee this year, I was made aware of what these flaws mean in a practical sense. As it became apparent that we had to reduce the Administration's defense spending request, I began asking the various service chiefs, and other high-ranking military officials, this question: What can we do to cut defense spending without hurting our national defense? As you all know, I favor a strong national defense, and I reasoned that if cuts had to be made it would be much better for us to have the views of the military on what were really the top priorities in the defense budget. However, no one could answer my question. The present command structure, with the flaws I mentioned earlier, effectively prevents an answer. What this system gives us is most of each service's "wish list", with duplication of weapons systems, and overlapping missions and responsibilities. I am convinced that the potential for saving defense dollars by reforming the current JCS system is enormous.

There is little disagreement about the existence of defects in the current system. Where viewpoints diverge is on how far it is necessary to go in order to correct these defects. In my view, nothing less than a fundamental change in the status quo is needed. That is why I introduced H.R. 2560, the "Military Command Reorganization Act of 1983". Let me summarize some of this bill's key sections:

Section 2 defines the National Command Authorities as consisting of the President and the Secretary of Defense, and sets out the military chain of command to run from the President to the Secretary of Defense, from the Secretary of Defense to the Chief of Staff of the National Command Authorities, and from the Chief of Staff of the National Command Authorities to the commanders of the unified and specified commands.

Section 3 abolishes the Joint Chiefs of Staff and the position of Chairman of the Joint Chiefs of Staff, and transfers the functions, powers, and duties of these two entities to a newly created Chief of Staff of the National Command Authorities. This officer will be the highest ranking officer in the armed forces, and he will be the principal military advisor to the President, the National Security Council, and the Secretary of Defense. He is given the same duties that are currently assigned by law to the Joint Chiefs of Staff. Provision is made for two Deputy Chiefs of Staff, one of whom shall be designated to act as Chief of Staff in the absence or disability of the Chief of Staff.

Section 3 also establishes a Joint Military Staff as a successor to the current Joint Staff. Officers will be assigned to the Joint Military Staff for a period of three years and may be extended for a period of up to three additional years. There must be a three-year period between Joint Military Staff assignments, except that up to one hundred officers may be recalled to such duty in less time. The section further contains provisions designed to ensure that officer personnel policies give appropriate consideration to performance as a member of the Joint Military Staff.

Section 4 establishes a National Military Council consisting of five members of the armed forces, and, at the option of the President, one civilian. The bill specifies that the members of the Council are to be senior officers, either recalled from retirement, or on their last tour of active duty. They would be appointed for three-year staggered terms, and could be reappointed.

The National Military Council would provide the President and the Secretary of Defense with advice on matters pertaining to national security policy, national and military strategy, and the responsibilities of the national command authorities; and with independent assessments of the way in which national security policies and de-

fense programs are carried out by the Department of Defense. The Council would be required to provide advice on its own initiative as well as responding to requests from the President and the Secretary of Defense. A member of the Council designated as its Chairman would preside over the Council, and represent the Council at meetings of the National Security Council.

Section 5 of H.R. 2560 contains several more provisions designed to ensure that the members of the Joint Military Staff are the most outstanding in the armed forces. It requires that joint experience be given substantial weight in the promotion of officers to flag rank. In addition, it permits the Chief of Staff of the National Command Authorities to recommend a certain number of officers for promotion to flag rank from among those serving on the Joint Military Staff.

Response to my proposal, from our colleagues here in the House, from the military, and from others has been extremely favorable. General David C. Jones, General Maxwell D. Taylor, and the respected military historian and analyst Trevor N. Dupuy are only a few of those who have indicated their support. There are currently twenty-five cosponsors of the bill.

As you can see, H.R. 2560 is designed specifically to remedy the flaws in the current system. By taking away the joint responsibilities of the service chiefs, the bill frees them to devote full time to running their individual services. No matter how delicate and talented, no man can serve two masters. My bill removes the need to—the built-in conflict between service interests and joint interests is eliminated.

The National Military Council would improve the quality of advice from the military to civilian decision-makers, particularly on long-term national problems and future military policy. This is precisely the kind of advice that is needed in order to make sound decisions on future force structures and on the long-term procurement of weapons systems. The Chief of Staff of the National Command Authorities would be responsible for advice on matters related to current military policy, strategy, and major Department of Defense programs, and on all major matters related to current forces.

To improve the level of experience on the Joint Military Staff, the number of officers who may be reappointed within three years is increased from thirty to one hundred. In addition, to encourage outstanding officers to seek joint assignment, provision is made for performance in joint assignments to be given substantial weight in promotions.

Let me emphasize that I don't believe that the problems in the JCS are related to people. Thus, I reject the contention of the Secretary of Defense that organizational change is not needed, since good people can make the JCS system work. To the contrary, some of our most outstanding JCS members have been leaders in pointing out the flaws in the present system, and the need for drastic reform. There is another point that must be made: Even if they are able to overcome inherent institutional flaws temporarily, neither the current members of the JCS or the current Administration will be in office forever. These defects in the JCS organization have long been recognized. They will not disappear by being ignored.

There is another point which I need to make. H.R. 2560 will not lessen civilian control of the military. If anything, the bill will improve civilian control, by ensuring that decision-makers get better, and more timely, advice on military strategy and policy. The inefficiency and ineffectiveness of the present JCS system is not the best way to ensure civilian control. Indeed, the problem today is that because of the watered-down common-denominator advice received from the JCS, Secretaries of Defense have turned more and more to advice from civilian staffs on matters where the military voice needs to be heard. H.R. 2560 would help restore a proper balance. Moreover, it contains specific protection against military dominance. The bill makes it clear that the Chief of Staff is to be subordinate to the Secretary of Defense and the President, and that his duties are to be primarily advisory. Our nation has a long tradition of the military being subordinate to civilian authority. H.R. 2560 will not change that tradition.

The next question is whether having a single, dominant military officer will stifle divergent views within the military. Here again, the bill is drafted so that this will not happen. The bill requires the Chief of Staff to consult with and give close attention to the views and recommendations of the service chiefs and the commanders of the unified and specified commands. In addition, the National Military Council will serve as a form of "checks and balances" on the Chief of Staff, and it is provided that Members of the Council may act individually in providing advice and assessments in the same manner as the Council may act as a body. In short, a President or Secretary of defense who wants divergent views should have no trouble obtaining them under the system established by my bill.

In closing, let me once more commend the Subcommittee for its willingness to tackle this issue again this year. In my view, this is the most important defense issue we will face this year. We can no longer afford to let inter-service "log-rolling" protect parochial service interests at the expense of the joint interests of the nation. If we can't employ our forces effectively, it doesn't matter much what kind of force structure we have or what kind of weapons systems we procure. A proper reform of the JCS will save defense dollars, particularly in the area of procurement of weapons systems, and, yet, it will ultimately lead to a stronger national defense.

Now is the time to act on such a reform, Mr. Chairman. If we wait for a crisis, or a war, it will be too late. The comprehensive hearing record compiled by this Subcommittee last year made it clear that fundamental changes in the JCS are needed. I believe that my bill, H.R. 2560, makes those needed changes, and I urge the Subcommittee to consider this proposed legislation favorably following this year's hearings.

REFORM PROPOSALS

- Apr 1944—McNarney Plan
- Mar 1945—Richardson Committee Majority Report
- Sept 1945—Eberstadt Plan
- Oct 1945—Collins Plan
- Jan 1947—Army-Navy Compromise Plan (Norstad-Sherman Plan)
- Nov 1948—Eberstadt Committee (of the Hoover Commission) Report
- Feb 1949—Commission on Organization of the Executive Branch of the Government (Hoover Commission) Report
- Apr 1953—Rockefeller Committee Report
- Apr 1953—President Eisenhower's Reorganization Plan
- Jan 1958—Wheeler Committee Report (prepared at the request of the Joint Chiefs of Staff)
- Apr 1958—President Eisenhower's Reorganization Plan
- Dec 1960—Symington Study on Reorganization of the Department of Defense (prepared for President-elect Kennedy)
- Jul 1970—Blue Ribbon Defense Panel (Fitzhugh) Report
- Jun 1978—Ignatius Report on Defense Reorganization
- Jul 1978—Steadman Committee Report on National Military Command Structure
- Feb 1979—Defense Security Policy Integration (Odeen) Report
- Dec 1981—Joint Planning and Execution Steering Committee Report
- Feb 1982—Two Separate Reports of the Chairman's Special Study Group
- Feb 1982—Jones' Reorganization Proposal
- Apr-Aug 1982—Reorganization Proposals for J.C.S. Hearings before Investigations Subcommittee, Armed Services Committee.

EXCERPT FROM TESTIMONY OF FORMER SECRETARY OF DEFENSE ROBERT S. McNAMARA BEFORE THE COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, MAY 19, 1983

The CHAIRMAN. Mr. Nichols.

Mr. NICHOLS. Thank you, Mr. Chairman.

Mr. McNamara and Mr. Bundy, I appreciate your coming before our committee. Suffice it to say that I find myself in disagreement with most of the testimony that you have rendered here this morning. I won't go into the issues with you. I will get on a subject that is a little less sexy, Mr. Secretary, if I might.

Our subcommittee is looking into some reorganization of the Joint Chiefs of Staff. As you know, last year Gen. David Jones, who was at the time Chairman of the Joint Chiefs, criticized the JCS organization and indicated that it was significantly flawed.

He said he thought we ought to reorganize it, and so forth.

As a former Secretary, would you just briefly, Mr. Secretary, provide your suggestions as to whether there ought to be changes, and if so, what those changes, and if so, what those changes should be?

Mr. McNAMARA. Mr. Nichols, I generally agree with what I understand General Jones' recommendations to be. I say that without endorsing every element of it, some of the details of which I am not familiar with; but what he basically recommended, as I understand it, is that the position of the chairman be strengthened, and that the Chiefs be separated to some degree from their service responsibilities, so that there could be an integrating or unifying force or structure within the De-

fense Department to adjudicate controversies among the services and to bring to the Secretary and to the President, and hence to the American people, a truly unified defense strategy and defense structure. That I strongly agree with.

I think what we are seeing today, and one of the reasons why we feel there is duplication within the budget, is that there is not a unified strategy and there is not a unified structure.

This budget that lies before you is the result of independent services operating semiautonomously. It was that that General Jones sought to correct by suggesting a restructuring of the Joint Chiefs.

I strongly support his objective. I think that a reorganization of the Chiefs would contribute to it. There are other actions that could be taken short of that. One could increase the power of the Chairman without separating the Chiefs from their services, for example.

This problem is not new. I was interested, amused, and somewhat saddened, when I read on Sunday of this week an extraordinarily interesting report of the buildup of our nuclear forces from 1945 to 1960. It quoted President Eisenhower at the end of his term as President—two terms as President—saying that with respect to this subject we are talking about now, redundancy and nuclear strategic forces, that he felt badly at having allowed the forces to expand to the extent they had and that the only action he could see that could have been taken to prevent that would have been to fully integrate the services. Short of that, he saw no way to prevent it.

What he was saying is the same thing General Jones is saying, that today we have, not as the fault of any single man and certainly not as the fault of the service Chiefs, we have services operating semi-independently of each other. It is very, very wasteful. To reduce that waste, I would support a reorganization of the Chiefs.

Mr. NICHOLS. I don't care to ask any more questions, Mr. Chairman.

Mr. SKELTON. Mr. Secretary, thank you for your comments.

I find myself in agreement only with your last comments today, because I have a bill in to do just that very thing.

Would you expand, Mr. Secretary, on the conflict of interest that seems to be apparent in the structure as it now stands?

The service Chiefs at one moment being the head of the Navy and at another moment being a member of a Joint Committee, is there a conflict of interest that you see there, sir?

Mr. McNAMARA. I don't think there is a conflict of interest as much as there is a tendency of the service Chief, whether he is functioning as service Chief or a member of the Joint Chiefs, to be most aware of, most interested in, most concerned about the interests of his service.

Mr. SKELTON. Well, what happens—is it true that in making recommendations to the President, to the Secretary, that certainly as a committee they in essence just add up what everybody else has, rather than dig into each others territory?

Mr. McNAMARA. No. I don't think it is true that they just add it up, but they don't dig into it to the degree they would if they were separated from their services, if they had adequate staffs and adequate time to look at it from a national point of view, as opposed to a service point of view. I don't think those three carrier task forces would be in there, for example, if the Chiefs had had time to fully examine that.

Mr. SKELTON. It is a conflict of time, too, then?

Mr. McNAMARA. It is a conflict of time, exactly.

Mr. SKELTON. Do you have any judgment, Mr. Secretary, how much we could save in the defense dollar should we have a proposal enacting a law, such as my bill, that General Jones has proposed?

Mr. McNAMARA. No, I don't but I am certain it would be substantial. I will give you a figure off the top of my head. I think you can save on the order of 5 percent at a minimum, and we are talking about \$300 to \$400 billion per year, and 5 percent is a lot.

Mr. NICHOLS. We thank you, Mr. Skelton, for your interest and your dedication over many, many years in support of a strong defense. For that reason I would certainly seriously consider the proposal that you bring before the subcommittee this morning.

In looking over your statement, I notice on page 7 you indicate that the problem today is that because of the watered-down, lowest-common-denominator advice received from the Joint Chiefs of Staff, that Secretaries of Defense have turned more and more to

advice from civilian staffs on matters where the military voice needs to be heard. You indicate that nothing short of fundamental changes in the Joint Chiefs structure is needed. But I would remind the gentleman from Missouri that the Joint Chiefs of Staff organization has been criticized for many decades and the opponents of change have succeeded in defeating even the slightest changes.

Why do you believe that determined action by the Congress to install more moderate changes such as those proposed by General Jones, included in our bill last year, which passed the House, will not be sufficient to take care of the concerns that you express?

Mr. SKELTON. Quite honestly, there is one fundamental flaw. I mentioned several, but the main fundamental flaw is that you have one person—fine and dedicated and truly outstanding as they are, and we are truly blessed, I might say, Mr. Chairman, with the Joint Chiefs that we have today; they are of the highest caliber and I think history will treat them well—but it is absolutely impossible for them in the morning to be head of their service and in the afternoon to sit in a second capacity and to undo what they have been doing in the morning in their own service.

For instance, let us take a Navy example. Suppose within the Navy the great issue is whether to spend a large amount of money on an aircraft carrier or on two *Ohio* class submarines, and this has been wrestled around within the Navy for weeks and debated among all of the military naval thinkers, and the Chief of Naval Operations and all of them finally agree we will build a new aircraft carrier. That is firm. That is our recommendation. Then the meeting is held with the Joint Chiefs and the issue is brought up and the Joint Chiefs have a different opinion. It is asking too much of the CNO to say yes, gentlemen, I will give up, I will yield to your thoughts. What usually happens is some sort of compromise. What usually happens is that each of the services has a wish list of programs and of procurements. One Chief does not drastically touch the others' lists. These are the wish lists provided to the Secretary of Defense and to the administration and hence to us.

We know what difficult times there are. We had to cut some \$10.5 billion from our budget this year. You will recall the tough job. Did we have direct advice from the Joint Chiefs of Staff on saying cut this program or cut this procurement? We had to do a lot of it, Mr. Chairman, on our own. That is the flaw. They cannot do two jobs. They are not superhuman.

Mr. NICHOLS. You go to great lengths in saying that you have tremendous respect for our people—

Mr. SKELTON. Yes, sir.

Mr. NICHOLS [continuing]. Who serve as our Chiefs of Staff and the Chairman of the Joint Chiefs of Staff. I know you share the same respect for General Vessey that I do. He will be testifying later. In view of the respect you and I have, would you give us your opinion on the administration's proposal that has been formulated by, and supported by, General Vessey, who has brought it to us before this committee?

Mr. SKELTON. It is the result of obvious compromise within the committee, within the joint system. I am disappointed, Mr. Chairman, that we do not have five testimonies before us today. I think

the very fact that we have one testimony today, a compromise testimony, which will be presented by General Vessey, points up the very same thing that I am saying. We have some fine military minds that obviously do not agree in every instance. General Meyer has been forthright enough to write an article and testify last year, if you will recall. It is the compromise system of doing things. You cannot do business that way. This is only cosmetic at best. The one good thing they recommend is to establish by law, which my bill does, the chain of command. Other than that, it is mere cosmetics and it does not attack the main issue.

Mr. NICHOLS. Elsewhere in your testimony you seem to feel that the military voice has declined in influence and scope and lost out to Pentagon civilian staffs.

Where do you place the blame for this? Are you blaming the military? Would you explain?

Mr. SKELTON. You cannot blame the caliber of the military, yet you have to blame the system, because their system is a committee system. You have to in any committee system have compromise, in essence a watering-down effect. When a Secretary of Defense or when a President receives recommendations in a compromise fashion or a watered-down-effect fashion he is going to look elsewhere for strong military advice. If it comes from the civilian sector in the Pentagon he is going to take it wherever he can get it.

We should let people of the caliber who serve in these positions express their views. The best way they can do it would be under the bill that I have, either as a service chief, on the one hand, or as a member of the military council that I provided. We have two outstanding members of the Joint Chiefs, Mr. Chairman, that are about to retire, General Meyer and General Barrow. Would it not be fantastic to have their advice in the years ahead as members of the Military Council to advise the President and Secretary of Defense? How blessed we would be would that be the case, but the law does not provide for it now.

Mr. NICHOLS. I want to ask you some questions about that a little later.

Mr. Ray.

Mr. RAY. Thank you, Mr. Chairman.

Thank you, Mr. Skelton, for coming before us today and giving us your opinion on the reorganization plan you have here. Former Secretary McNamara recently estimated that 5 percent of the defense budget could be saved if the JCS was reformed—

Mr. SKELTON. Yes, sir.

Mr. RAY. So that it could give better advice on which service programs to keep and which to drop, how to eliminate and so forth. Do you agree with this, or do you have an estimate on how much you think could be saved?

Mr. SKELTON. I think Secretary McNamara is conservative in his thoughts. I think if you have the high caliber of people—I assume you would have the same high caliber—you could save up to 10 percent. However, Secretary McNamara's figure of 5 percent, 5 percent of \$188 billion, is a considerable amount. I think this is terribly important because the people of our country in the years ahead are going to expect us to have a strong military at a very tight budget. As the years go on, should there be a tightening of the mil-

itary budget, you are going to see the present system not doing well. As the budget expands, as more money is coming forward and coming forth, the present system works because everyone's wish list can be accommodated. When the wish list and various military services are going to have to be cut, that is when you have trouble.

Mr. RAY. Has your research indicated a specific percentage up to 10 or over 10 percent?

Mr. SKELTON. I would hope up to 10 percent.

Mr. RAY. The National Security Act states that the Congress does not intend to create a general staff.

Mr. SKELTON. That is correct.

Mr. RAY. But your proposal to establish a Joint Military Staff headed by a chief of staff, is that in conflict?

Mr. SKELTON. Not at all. I wish to point out, all during the hearings last year, and the recommendations made by General Jones, which are incorporated in my bill, at no time has there ever been an implication that this is the creation of a general staff. It allows for people to be appointed to the staff for 3 years, and to be reappointed for an additional 3 years. But they must then lay out. It does allow an increase in the number to be brought back, I think from 30 up to 100, to be brought back at less than a 3-year interval. But it still keeps the rotation going.

I have talked to a number of people, both active and retired, more active than retired. Many of the bright young majors, captains, lieutenant colonels, and their comparable ranks in other services, do not want a joint assignment. And you want those very, very able people to be drawn into this joint assignment. That is what we are trying to do. The only changes that we make is to provide for them to obtain some of the finest service officers and to also provide for their promotion which under the present system might pass them by should they be a member of the Joint Staff.

Mr. RAY. Your proposal would be that the National Military Council would be an ongoing body. Is that correct?

Mr. SKELTON. That is correct.

Mr. RAY. Now, if the President and the Secretary of Defense were not able to appoint their own choices to this body, would it be likely to have much influence in rendering military advice?

Mr. SKELTON. I think it does. First, they would be some of the outstanding, probably four-star, but in some cases three-star, retirees of our country. And they are staggered in terms, so that every year the President is going to have the opportunity to either keep or replace someone on that military council. I think that it would be a body that could keep its continuity, and yet upon the desire of the President and the advice of the Secretary of Defense, they could change its complexion over a period of just a few years.

Mr. RAY. But it seems to me that the members of your proposed National Military Council would lose touch rather quickly after they were separated from day-to-day operations. If so, could their advice be given credibility by the present Secretary of Defense?

Mr. SKELTON. Actually they do not lose touch. They lose the upward pressure from within their own service. They are still going to retain the bias of the Air Force and the Marines or the Navy or Army because that was their life for many, many years. But they would have an objective view. If you had the opportunity,

like I have, Mr. Ray, to recently visit with Gen. Maxwell Taylor, it is obvious he has not lost touch. He still is very, very able and can give very sound advice.

Mr. RAY. Mr. Chairman, one more minute?

Mr. NICHOLS. Yes, sir.

Mr. RAY. How many additional four-star officers would be required for the National Military Council under your plan?

Mr. SKELTON. You actually have very few additional officers because many of those that were appointed would retain a four-star rank or if a three-star were appointed he would of course be promoted to four-star. At best, you would need five slots for these people, because they would be in addition to the old slots allowed by law. They should have that military rank. With the discretion of the President you can have one civilian. Would it not be fine to have someone like Melvin Laird, someone of his caliber, not a four-star general but someone of his intellect, as that civilian member?

Mr. RAY. There is a move to reduce general officers. I wondered if you think Congress is likely to approve any more of those slots.

Mr. SKELTON. Well, I do not see where this is in conflict with the idea of reducing the number of star ranks. What you are doing, you have right now one person doing two jobs, two four-star jobs, which is really a conflict and the real problem. To solve this conflict you are going to have the joint military council I described, put in the legislation over here, and of course they are going to have the proper rank. I do not think that is in conflict with cutting down the service number of stars.

Mr. RAY. Thank you, Mr. Skelton.

Thank you, Mr. Chairman.

Mr. NICHOLS. I want to pursue this a little bit with Mr. Skelton. You are proposing a National Military Council, made up of five members plus one civilian member.

Mr. SKELTON. That is correct.

Mr. NICHOLS. What would be the length of their term?

Mr. SKELTON. They will be staggered. It would be 3 years in duration. However, they would be staggered at the beginning so that they would be turning over every year.

Mr. NICHOLS. You mentioned some extremely prestigious names here. You suggested General Meyer, General Barrow, who shortly is to retire, excellent people. I could add any number, Tom Moorer, and go on from there. Let me remind the gentleman, though, it would seem to me that these people would be apt to carry those same biases that perhaps I have for the Army because I served in the Army, and sometimes I have to examine myself on the other branches of services to see that I treat them fairly.

Would you not expect those same biases to be present that you seem to be critical about in the current system?

Mr. SKELTON. You would expect them to have their service biases. Once a marine, I am told, always a marine. This is fine. And they would understand the way marines work and the thinking of marines, but they would not have the upward pressure from the staff that we need this weapon system, you cannot let the Army steal that program from us, things like that. They would be in a position to be more objective but still retain, and fortunately

so, the biases with which they live for so many years. I think that is a good thing.

Mr. NICHOLS. Your suggestion has a good ring to it, but there are questions I have to ask you. Once a four-star retires, then he becomes a member of the old guard, so to speak, and you have a new crowd in, new ideas, new viewpoints and so forth. You recall the testimony received from the former Secretary of Defense before the full committee just a few days ago. This gentleman, for all of his expertise 16 years ago, has been out of pocket 16 years, out of the mainstream. The question was asked the gentleman, as you recall: Have you been briefed recently? The response, I believe, No, he did not need to be briefed. Is this the type of person that you visualize would serve a real spot in trying to rectify some of the things that are of concern to both of us?

Mr. SKELTON. I would first say I disagree with a number of his decisions some 16 years ago. Second, it would be the duty and the opportunity for anyone serving on this Joint Military Council, Mr. Chairman, to be briefed, to be brought up to date with modern proposals. That would be his job. He would not sit in an ivory tower with his 1940 books. He would be thinking in today's terms using his vast years of experience in making recommendations.

Mr. NICHOLS. Now you bring these people back. You put them in uniform. You would restore their stars for the term of office in which they serve. You would need additional slots in order to do that. The services traditionally bring requests before the Military Personnel and Compensation Subcommittee, now chaired by the gentleman from Wisconsin, for additional general officers. You were not in the Congress when this last came to the floor, but I can tell you the persuasion of Congress has not been very sympathetic toward providing additional general officer and admiral slots. It is always brought to the attention of the Congress that currently we have more admirals and we have more generals than we had during the height of World War II; I believe the figure is around 1,175 or 1,200. What degree of optimism would you feel toward Congress granting those additional slots, five four-star billets?

Mr. SKELTON. I would not think there would be much trouble at all given the fact this is going to end up making a more unified operation and an opportunity to save money within the military. I think, quite frankly, the people in the Congress could understand the reason for what we are doing. We are providing a method which in the long run will allow us to have a strong, adequate, lean defense.

Mr. NICHOLS. Well, we will need your help on the floor to help us argue that point.

Mr. SKELTON. Yes, sir, you have that.

Mr. NICHOLS. Mr. Lally.

Mr. LALLY. Thank you, Mr. Chairman.

Mr. Skelton, in our hearing last year, any proposal for centralization of military authority in one individual was generally opposed by both active duty and retired military personnel. It was more favorably received by the civilian witnesses that we had.

The objection seemed to be that this would be a trend away from the civilian control over the Department of Defense by centralizing

in one individual). What would your response to that criticism be, Mr. Skelton?

Mr. SKELTON. You would get timely, you would get straightforward undiluted advice. Would it not be absolutely fantastic to have a Gen. John Vessey as that Chief of Staff being the one giving the President and Secretary of Defense advice? I envision someone of that caliber. I think it would work very, very well in that you would have the advice coming quickly and timely without a debate, and possibly compromise, before it got to the advice stage.

Mr. LALLY. The criticism, however, Mr. Skelton, is that, for example, a General Vessey might not be thoroughly conversant with carrier aviation or Air Force bombing missions. Would he be as qualified as the current joint group to provide this information?

Mr. SKELTON. I think that someone that reaches that plateau, has had extensive joint training and experience, that an aircraft carrier is nothing new to them. They have worked with the Navy and other services in many ventures and I think it would be relatively easy for someone of his caliber to be the Chief of Staff.

Mr. LALLY. Thank you, Mr. Skelton.

Thank you, Mr. Chairman.

Mr. NICHOLS. Mr. Barrett.

Mr. BARRETT. General Vessey contends in his statement, which will be made later this morning, that the JCS is working well now, that good people and cooperation is what is needed. You appear to claim that the JCS is not working well now because it cannot render meaningful advice on tough questions, like how to prioritize the budget, or how to deal with slicing up the world in the unified command plan, or how to deal with interservice matters, or issues looking toward the future, like space. Also, you contend that, even if we presently enjoy a variety of Camelot for this brief period with the Chiefs all working in harmony, this is one particular JCS and one administration, and we still have these long-recognized organizational defects.

Is this a correct characterization of what you are saying, that we may be in a period of a honeymoon, but it is not good even now?

Mr. SKELTON. You said that in such a way I would like to say I wish I had said it. Quite honestly, we have an outstanding group now. They do as well as the system will allow them to do. I think that given this same group of outstanding military leaders, under a different system, I think you would find an ability to pick and choose between programs, rather than coming to us with the entire programmatic wish list. I think that the present system is inherently flawed because you cannot ask, regardless of how bright and able they are, people to serve two masters. In essence you are asking too much. You are asking them to serve two masters.

In addition to that, let me point out an additional problem. You now have from time to time a different Acting Chairman of the Joint Chiefs. I think it is based on a quarter of a year, in my recollection. So, at any one time, you will have a person serving as a service chief, at the same time serving as a member of the Joint Chiefs of Staff, and also at the same time being Acting Chairman, when the Chairman is indisposed. You are asking a great deal of a human being. I think the very system itself is at fault, certainly not the gentleman serving. We should be so fortunate from here on

out to have a guarantee of the caliber of the men that we have now. Of course there is none.

Mr. BARRETT. Thank you.

No further questions.

Mr. NICHOLS. I thank the gentleman from Missouri for his testimony, and I want to invite him to join the subcommittee as General Vessey presents his testimony.

Mr. SKELTON. Thank you.

Mr. NICHOLS. General Vessey, on behalf of the Investigations Subcommittee, I want to welcome you and the other members of the Joint Chiefs of Staff this morning: General Meyer, Chief of Staff of the Army; General Barrow, Commandant of the Marine Corps; Admiral Watkins, Chief of Naval Operations, and General Gabriel, Chief of Staff of the Air Force.

It is seldom that our subcommittee gets such a galaxy of stars before us and we are indeed honored, sir.

We are certainly cognizant of the responsibilities that each of you shoulders in the defense effort and we appreciate the time that you have given us to appear here as a body today.

General, you have submitted a joint statement representing the position of the entire Joint Chiefs of Staff. I am going to request that you summarize that statement, if you will, and after you are through, and before we have questions from members of the subcommittee, I will ask that each member of the Joint Chiefs in turn comment on his thinking about the current organization of the JCS, any problems that you think could be improved, and generally your views on how these problems can be solved.

General Vessey, you may proceed, sir, at this time.

STATEMENT OF GEN. JOHN W. VESSEY, JR., USA, CHAIRMAN OF THE JOINT CHIEFS OF STAFF, ACCOMPANIED BY: GEN. ROBERT H. BARKOW, COMMANDANT OF THE MARINE CORPS; ADM. JAMES D. WATKINS, CHIEF OF NAVAL OPERATIONS; GEN. EDWARD C. MEYER, CHIEF OF STAFF OF THE ARMY; AND GEN. CHARLES A. GABRIEL, CHIEF OF STAFF OF THE AIR FORCE

General VESSEY. Thank you very much, Mr. Chairman. Thank you for asking me and my colleagues to testify on this important subject.

You will recall that last year General Gabriel and Admiral Watkins and I were asked shortly after we came into office to testify on our views and we did. Last summer this body of Chiefs agreed that we would undertake a review of our own organization. To be used as the basis for that review, we used the duties that were outlined in the law. We agreed on criteria that we would apply to the various proposals that had been made for change. I described those criteria to you last July, but I think it is worth repeating those here today.

The first was, Would the change improve the ability of this Nation to go to war if we were forced to go to war?

Second was, Would the change provide the President and Secretary of Defense better advice than the present system does, and would that advice be timely? I also pointed out to you when we discussed this earlier that we agreed on a definition for timeliness and that was the Secretary of Defense and the President ought to have

out to have a guarantee of the caliber of the men that we have now. Of course there is none.

Mr. BARRETT. Thank you.

No further questions.

Mr. NICHOLS. I thank the gentleman from Missouri for his testimony, and I want to invite him to join the subcommittee as General Vessey presents his testimony.

Mr. SKELTON. Thank you.

Mr. NICHOLS. General Vessey, on behalf of the Investigations Subcommittee, I want to welcome you and the other members of the Joint Chiefs of Staff this morning: General Meyer, Chief of Staff of the Army; General Barrow, Commandant of the Marine Corps; Admiral Watkins, Chief of Naval Operations, and General Gabriel, Chief of Staff of the Air Force.

It is seldom that our subcommittee gets such a galaxy of stars before us and we are indeed honored, sir.

We are certainly cognizant of the responsibilities that each of you shoulders in the defense effort and we appreciate the time that you have given us to appear here as a body today.

General, you have submitted a joint statement representing the position of the entire Joint Chiefs of Staff. I am going to request that you summarize that statement, if you will, and after you are through, and before we have questions from members of the subcommittee, I will ask that each member of the Joint Chiefs in turn comment on his thinking about the current organization of the JCS, any problems that you think could be improved, and generally your views on how these problems can be solved.

General Vessey, you may proceed, sir, at this time.

STATEMENT OF GEN. JOHN W. VESSEY, JR., USA, CHAIRMAN OF THE JOINT CHIEFS OF STAFF, ACCOMPANIED BY: GEN. ROBERT H. BARKOW, COMMANDANT OF THE MARINE CORPS; ADM. JAMES D. WATKINS, CHIEF OF NAVAL OPERATIONS; GEN. EDWARD C. MEYER, CHIEF OF STAFF OF THE ARMY; AND GEN. CHARLES A. GABRIEL, CHIEF OF STAFF OF THE AIR FORCE

General VESSEY. Thank you very much, Mr. Chairman. Thank you for asking me and my colleagues to testify on this important subject.

You will recall that last year General Gabriel and Admiral Watkins and I were asked shortly after we came into office to testify on our views and we did. Last summer this body of Chiefs agreed that we would undertake a review of our own organization. To be used as the basis for that review, we used the duties that were outlined in the law. We agreed on criteria that we would apply to the various proposals that had been made for change. I described those criteria to you last July, but I think it is worth repeating those here today.

The first was, Would the change improve the ability of this Nation to go to war if we were forced to go to war?

Second was, Would the change provide the President and Secretary of Defense better advice than the present system does, and would that advice be timely? I also pointed out to you when we discussed this earlier that we agreed on a definition for timeliness and that was the Secretary of Defense and the President ought to have

military advice before they knew they needed it. If they did get it that way, it was timely.

The third criterion that we agreed on was, Would the change better insure that the requirements of the commanders in chief of the unified and specified commands were met? Those are the people who would fight the Nation's battles. No one has proposed changing that concept in the law.

The fourth criterion was, Would the change help the Nation allocate the resources that it provides for national defense more wisely and efficiently than the present system?

We also agreed, after discussing the matter with the Secretary of Defense, to use a fifth criterion, and that is, Would the suggested change maintain civilian control of the military?

As I said, we examined the duties outlined in section 141 of title 10, United States Code. Our examination of those duties confirmed for us that they are, in fact, the right duties for the JCS.

We examined at the time the proposals that had been made by General Jones for changes and proposals that had been made by others, including some that had been made by General Meyer, for possible changes. We examined each one of those proposed changes in light of the criteria that I outlined. We generally concluded that the existing law gives us most of the latitude we need to improve the effectiveness of our own operation. I would report to you that we are working to do that now in cooperation with the Secretary of Defense and commanders in the field.

We believe that improvements are underway. Certainly we have improved the personal communications among the JCS as a corporate body and with the President and Secretary of Defense. We are placing emphasis on providing timely advice to the President and Secretary. There is increased participation by the commanders in chief of the unified and specified commands in program and budget decisions and we believe we are sharpening the focus of the JCS on strategic advice.

As a part of that, we agreed last summer to call in the commanders in chief of the unified and specified commands and ask each of them to brief the Chiefs personally on his most demanding war plan and concept of operation. As a result of that, we have set in motion the mechanisms for improving the planning guidance to those commanders.

We have taken measures to assure the continuity between the Chairman and the JCS member who acts as the Chairman during my absence by appointing one of our members to serve on a quarterly basis. That seems to have worked out reasonably well.

We have asked the service schools to emphasize joint planning and operations in their training. We have taken it upon ourselves to review the curricula of the joint colleges to assure that is in effect. We have set in motion the mechanism for a new training program for officers serving on the Joint Staff.

One of the things that we learned in our review is that the objective of the exercise should be to make the key man in the defense organization as effective as he can be. That key man is the Secretary of Defense. The question is not one for the JCS by themselves. It is a question of their function as advisors to the President and Secretary of Defense.

As I point out in the statement, in that respect we realized that there are three key relationships. The first is the relationship with the Chiefs as a body with the Secretary of Defense and the President. We approached the Secretary of Defense on this matter. As a result of that, we, as a body, have met regularly with the President in addition to my meetings with the President as the adviser to the National Security Council.

The second relationship is the relationship among ourselves, the Chiefs as a body. We recognize that each of the service chiefs has responsibilities beyond his duties as a member of the Joint Chiefs of Staff. He has to build forces that are to be fought by the commanders in chief of the unified and specified commands. But at the same time, when he comes to the JCS, he has to come to the JCS as a body, recognizing the particular duties that the JCS have to perform. Each of them brings unique talents to that body because, as a result of his other duties, he knows that particular service, what it is capable of doing and what it needs.

The third relationship which I outlined in the statement is the relationship among the Chiefs as a body and the commanders in chief of the unified and specified commands.

We did conclude that some adjustments were needed to the law and these are outlined in the proposal that the Defense Department has made. That is, we have suggested that there be flexibility in the law that permits the Joint Staff to grow or contract as its needs require. We have suggested that you lift the limit on the number of people on the Joint Staff. We have also suggested that you make the law which sets the term of service for members of the Joint Staff be the same as the law which sets the term of service for officers on the Army and Air Staffs.

The last point was to place the Chairman by law in the chain of command.

The statement outlines some of the reasons for those changes and we also outline in the statement some of the reasons why we do not recommend some of the other changes that have been suggested. I will be happy to answer questions about those.

Mr. Chairman, that is a summary of what the statement says and I know you have read it. It is a very short statement. I don't think I need to add any more than that.

WRITTEN STATEMENT OF GEN. JOHN W. VESSEY, JR.

Mr. Chairman, members of the committee, thank you for asking me and my colleagues to return here to testify on the very important topic of improving the effectiveness of the Joint Chiefs of Staff. You will recall that General Gabriel, Admiral Watkins and I presented our views on 28 July, roughly one month after we assumed our duties. You may remember also that General Meyer and General Barrow had already preceded us in their testimony. Since then, the Joint Chiefs of Staff have studied proposals for improving the way the JCS contribute to national defense. I would like to discuss with you the conclusions we reached and to describe the changes we have set in motion to improve the way we do our business. The Chiefs have asked me to report the findings of our review.

Early last summer, the Chiefs and I agreed that we would undertake this review of our organization and our way of carrying out our responsibilities. As a basis for our review, we recognized that the effectiveness of the JCS is a direct function of the relationships the JCS maintain with the Secretary of Defense and the President, with the commanders of the unified and specified commands, and with each other. Accordingly, we decided to address the issues personally rather than have staff officers do the work.

We agreed on criteria we would apply to all proposals for change. I described these in some detail last July, but I want to repeat them today:

Would the change improve our ability to wage war if we're ever forced into one? The ultimate test is the ability to transition from peace to war and to fight the war to a successful conclusion, should deterrence fail.

Would it provide the President and the Secretary of Defense better and more timely advice?

Would it better insure that the requirements of the commanders in the field, the commanders in chief of the unified and specified commands, are met? These commanders in chief, the "CINCs," are the ones who will execute the war plans and fight the battles; and their needs were a key part of our review.

Would it improve the ability to allocate national security resources more wisely and efficiently—helping the President and the Secretary of Defense to meet their difficult responsibility of getting the most security from our limited budget?

The Secretary of Defense asked us to add a fifth criterion.

Would the suggested changes maintain our national legacy of civilian control of the military? We added and used that criterion.

As the starting point for our examination, we used the duties of the JCS prescribed in section 141, title 10, United States Code. Our examination of those duties outlined in the law confirmed for us that those are the correct duties and responsibilities for the JCS. Further, we concluded that the existing law gives us most of the latitude we need to improve the effectiveness of our own operation. We are working to do that now in cooperation with the Secretary of Defense and with the commanders in the field. We believe improvements are underway. There is improved personal communication among the JCS, the President and the Secretary of Defense; we are placing emphasis on the timeliness of JCS advice to the President and the Secretary of Defense; there is increased participation by the CINCS of the unified and specified commands in the program and budget decisions; and we believe we are sharpening the JCS focus on strategic matters.

We agreed last summer to call in the commanders in chief of the unified and specified commands, asking each to brief us personally on his most demanding war plan and his concept of operations. We learned a great deal and have set in motion the mechanism for better planning guidance to those commanders. The CINCS have become more active participants in defense resource planning and in global operational planning; and the Secretary of defense has asked that I, as the chairman, become their spokesman of operational requirements. As a result, the advice of the CINCS has become increasingly influential in the development of joint warfare requirements and programs.

We have taken measure to assure continuity between the chairman and the JCS member acting in my absence by assigning an acting chairman on a quarterly basis.

Service schools continue to emphasize joint planning and operations; and, a training program for officers of the Joint Staff is being prepared. Our system of colleges under the National Defense University is giving new attention to joint strategies and operations at theater and global levels.

In the conduct of our review, we learned something that probably should have been obvious from the start. The challenge for any "reorganizer" is to enhance the effectiveness of the Secretary of Defense. The Secretary of Defense is the key man in the defense establishment; and, reform must focus on improving how he uses the JCS, his military advisors, as a part of the entire DOD organization. We determined that an important part of his effectiveness depends on how well the JCS carry out the duties prescribed for them in the law and on the effectiveness of three, interdependent relationships:

The first relationship is that among the Chiefs and the Secretary of Defense and the President, a relationship which stems from duties specified in section 141, title 10, United States Code. In the performance of these duties, we've developed a close working relationship with the Secretary and we consult regularly as a group with the President. The relationship between this particular group of Chiefs and their civilian superiors seems to me to approach what the law indicates it should be.

The second relationship is the relationship among the Chiefs as a corporate body. We must have trust and confidence in one another. Each service chief has responsibilities as the senior uniformed officer of his own service, responsibilities different from those duties he performs as a member of the JCS. These other duties uniquely distinguish each Chief as best qualified to advise on the capabilities and limitations of his service. The close relationships developed within this group of chiefs ensures that this expert advice is heard.

The third relationship, which I addressed earlier, is that among the Joint Chiefs and an important group of nine—the commanders of the unified and specified com-

mands. The JCS as a body and the Chief of each of the services must ensure the requirements of the CINCs are heard and acted upon.

These relationships are fundamental elements in any consideration of how we do our business. JCS Organization cannot be considered in isolation. The functions of the JCS can only be considered in the light of the larger mechanism for building our defenses. In this respect, the effectiveness of the JCS is a function of understanding and of mutual respect within each of the relationships I outlined. The relationships must be tended by all the people involved.

Nevertheless, our review has led us to conclude that some adjustments of Department of Defense organization and procedures are indicated—necessitating changes in the law. This is so for a number of reasons. Past experience shows that military advice on strategy, on force requirements, and on measures for the transition of our defense posture from peace to war can best be provided by the JCS. However, the JCS need to improve our ability to provide the analytical basis for military strategy; force structuring; joint tactics, techniques, procedures and related training; and joint logistics. Further, the staff working for the Joint Chiefs of Staff, the Joint Staff, is not now best structured to assist the JCS on major decisions relating to force requirements or to weapon system choices. Accordingly, the Joint Staff needs to be strengthened. Finally, in the interest of aligning our peacetime and wartime functions, the law also should be amended to place the chairman in the chain of command to the unified and specified commands.

I would like to amplify on these needed changes as contained in two basic recommendations for new legislation made through the Secretary of Defense and submitted to both houses on 18 April:

First, we recommend that statutory restrictions on the size of the Joint Staff and tenure of its officers be changed to augment and strengthen their support to the Chiefs. The changes are necessary so that the size of the Joint Staff can be adjusted when necessary to ensure it has the number of experienced officers needed to assist the JCS and the Secretary of Defense in carrying out their assigned responsibilities.

Second, we recommend that 10 United States Code 124 be amended to place the chairman in the formal chain of command. The chairman presides over the Joint Chiefs of Staff, and he communicates, at the direction of the President or the Secretary of Defense, orders to the commanders of the unified and specified commands. The proposed legislation would make explicit the chairman's functions as a link between the Secretary of Defense and the unified and specified commands, an arrangement which already works well in practice.

In sum, the Joint Chiefs of Staff believe that these changes to the current organization are necessary for a more effective JCS. Other proposals which were advanced for changes to the organization of the JCS were given a thorough examination by the Chiefs. We have told the Secretary of Defense that we believe that other improvements can most probably be made within the boundaries of existing legislation. And, we have recommended that we work together to develop and test those changes.

We do not believe it is necessary to specify that the chairman is the principal military advisor. This is adequately provided in existing law and the proposal would serve only to disrupt or confuse the flow of advice from the other members of the JCS. We believe the chairman does not require a full time, 4-star deputy chairman. The system of quarterly rotation of an acting chairman is working well. Similarly, the JCS gave careful consideration to the concept of a National Council of Senior Military Advisors apart from the Chiefs of the services, but we believed that the proposals already outlined provide the opportunity for us to improve the military advice to the Secretary of Defense. Nor is it necessary or appropriate to revise the law to subordinate the Joint Staff specifically to the chairman. The chairman is already responsible for the management of the Joint Staff and its director on behalf of the Joint Chiefs of Staff.

Mr. Chairman, the Joint Chiefs of Staff have completed the review of the various proposals to change the organization of the Joint Chiefs of Staff. Our recommendations, concurred in unanimously by all the Chiefs, have been submitted to the Congress through the Secretary of Defense; and we recommend their approval. We will be glad to answer your questions.

Mr. NICHOLS. Thank you, General.

Let me pursue a question that is of concern to Mr. Skelton. You indicated that the Joint Chiefs of Staff's internal and external relationships are very harmonious at present. I would think that could

well be the case, and should be the case, at a time when the defense budget is rising at a peacetime record rate.

I find myself wondering what would happen if circumstances changed and you had to accept less than we talked about. Many critics claim that the Joint Chiefs of Staff as a group has very little influence on the budget because the members can't agree on cuts for their specific services. Since the Joint Chiefs of Staff cannot make these decisions, then the civilian sector, the program analysis and evaluation group and elsewhere, has to do this.

My question is, given the current Joint Chiefs of Staff's very harmonious relationship, could you gentlemen right now advise the Congress as a body, and the President, where to cut the budget from the administration's 10 percent growth in the event that we are going to have to accept something like 5 percent or thereabouts?

I guess I am asking you, as a body, in the confines of your deliberations, I am not asking you if we are going to cut this one or the other. But suppose we were to ask you that? Have you some sort of document, somewhere in the confines of the Pentagon drawers, that would assist this committee?

It is a tough question, General. Nobody likes the cut, but we are faced with the dilemma that is pretty apparent, I think, and I just have to put that question to you, sir.

General VESSEY. Let me give my part of the answer, then you might want to ask the other Chiefs.

Certainly the Joint Chiefs in their deliberations as a body look at the national strategy and look at force requirements for that national strategy. I think we have the best bit of advice on what the risks are if those force requirements aren't met.

We as a body can also give general directions on where one might have to cut, where one might cut with the least amount of risk in the general sorts of the force structure.

But I think when it comes to cutting within that guidance, when it comes to specific cuts, then we need the advice of the services because they are the ones that are responsible for building forces and they know where the efficiencies come in making cuts.

As a body we can give general strategic advice on what the general areas ought to be cut, and what general areas ought not to be cut. Then, it seems to me the mechanism has to work with the advice of the service chiefs looking at the individual budgets.

I would ask my colleagues.

Mr. NICHOLS. Before I seek responses from other members—the concern has been voiced about the situation when we get the knife out. And it is evident we are going to have to make some cuts. Admiral Watkins has 30 years in the U.S. Navy. He doesn't want to cut the carrier. General Barrow thinks there is nothing like the Marine Corps, and the same way with General Gabriel and General Meyer. There is a feeling that there are pressures within those services. They are saying, don't let them cut the Marine Corps, General. Be sure to save the B-1 and other planes, don't let them cut that.

Could I have some comments from the members on that? That is one of the concerns that has been expressed that needs change.

General VESSEY. I would say that certainly those divided individual loyalties are there. But on the other hand, these are the senior members of each of the services and they understand what the services are for. So I would ask each of the Chiefs to comment.

General MEYER. My comment would be that to date we haven't been able to do that prioritization among services very well. Some of the steps that are being proposed here would give us an improved capability to do that.

There are always internal pressures that you have as a service chief—to respond to your soldiers, civilians, and families—that you are taking into account when you sit as a member of the JCS. In an attempt to put those aside, you look at the things in the broader issue, but even as a JCS member, you also have a responsibility to the soldier.

General GABRIEL. What General Meyer was talking about is something all the Chiefs have been firmly in support of and that is quality of life of our people. We put that, as you know, No. 1 in all cases.

Beyond that, as the Chairman says, we give the strategic guidance on where to spend the moneys and that is a national priority that we set. Like this year, of course, strategic offensive forces, and readiness sustainability, mobility, force structure, and whatnot are in that rack up. That is not saying you fill every bin before you get down to the bottom. You can't do that, as you know. Then it is up to the services to fill in each of those requirements as they can best do it with the budget that is given to them.

As General Meyer also says, we have, among the Chiefs, not done very well over the years in resource management. I am sure there is a way we might improve on that. We are seeking ways to improve on that. But I think it can be done. Especially if the Chairman manages the change they propose in the Joint Staff both in size and tenure of members of the staff and we get improvements in the training and whatnot that we are doing with the Joint Staff. I think we can improve the cooperation that we have to have to manage in order to be more responsive in resource management.

Admiral WATKINS. Mr. Chairman, I think that the changes have taken place already in the last 2 years have been significant. I can say that with some knowledge since I was formerly a part of the Joint Chiefs of Staff as the Vice Chief of Naval Operations. I think the system has begun to change in a dramatic way.

The Chairman now sits as a member of the Defense Resources Board. That was not always the case. He exercises a high degree of participation today, with the service chiefs acting in an advisory capacity to him during those deliberations. They are significant deliberations. Also present at the Defense Resources Board that makes these decisions balance between the services are the unified and specified commanders who are called in to make their presentation, a very thorough presentation.

Obviously, their interests are the fighting forces they have today and in insuring they have the requisite deterrent strength.

The unified commanders have been persuasive and compelling in placing near-term readiness, sustainability, and command and control at the very highest priorities of the Defense program. They have made an impact.

We agreed, as the body of the Joint Chiefs of Staff, with the changes being recommended. They are modest by legislative standards. But they are significant internally in better defining the relationship between the Office of the Secretary of Defense and the Joint Chiefs of Staff.

Internal changes will strengthen further the involvement of the Joint Chiefs of Staff in the allocation process. We have just participated, for example, in the development of the budget for next year. The participation of each JCS member in the individual service's presentation of their planned budgets to the Secretary of Defense provided the ability to comment and the ability to put it all together as a total force package for the Joint Chiefs of Staff to consider. We have specifically looked at all cross-service programs and assured they are properly funded. That was not the procedure in the past. The involvement of the Joint Chiefs in resource allocation is much more significant than I have ever seen it.

The JCS need more tools and that is what is being recommended by this body. That is an internal device that is necessary that has not been there in the past.

So I feel very strongly that we are moving rapidly in the right direction and that we will be increasingly able as a body in the future. With the kinds of improvements that are being recommended we are able to sit in judgment on the total force that the unified and specified commanders need both for deterrence and war fighting. I believe we can turn our hats around without conflict of interest and do both of those tasks.

We can also make recommendations to the Secretary of Defense when he asks us to insure that the kinds of cuts that perhaps will be forced upon us can best be accommodated. We obviously can make recommendations on the best balance. I believe that we will look very critically, very objectively across-the-board at all the programs to make determinations of the kinds of things that we routinely have to face when we have budget cuts from Capitol Hill. I think we can put those in the best perspective for the Secretary of Defense.

So I don't believe we are that far from achieving our goals, and I think that with some modest changes we can improve even further on our ability to participate in both training and equipping the forces as well as insure that the proper mix of all the services is in balance to carry out the national objectives.

General VESSEY. Before General Barrow testifies, after the Chief of Naval Operations made that statement, I would just recall for you an incident that occurred in the JCS meeting the other day where we were reviewing the programs for this next year. I pointed out to the Chief of Naval Operations that he constructed his program in this fashion, but I believed that as the representative of the operational commanders I couldn't support this particular thing that he had done to his program. The Chief of Naval Operations said, "I understand that." And he said, "As a member of the Joint Chiefs of Staff, I don't believe I can support it either." But he said, "You need to know that as Chief of Naval Operations I put it together for this particular reason." So that sort of thing we see and those are the dichotomies that these people have to face.

I would point out also that the Chief of Staff of the Army and Chief of Staff of the Air Force put their programs together this last year with each one sitting in on the other's program construction for next year.

So the possibilities are there.

General BARROW. There is not much I can add. I am in general agreement with what has been said.

I think we should keep the JCS involvement in resource allocation at a macro level as the Chairman indicated when he spoke about guidance and that sort of thing, as opposed to getting us involved in too much detail.

Mr. NICHOLS. Mr. Ray.

Mr. RAY. Thank you very much.

Thank you, gentlemen. This morning we are glad to have you before the subcommittee.

General Vessey, last year both General Jones and General Meyer indicated there was insufficient time for the chiefs to do a good job as chief of a service and as a member of the Joint Chiefs of Staff. They maintained that each responsibility is a full-time job.

Now, in your statements, I believe on page 4, you reject establishing a Deputy Chairman and you favor a system of rotating this duty among the current chiefs on a quarterly basis.

My question is, How can the chief serving as your deputy, who is already overburdened and doing a good job, how can he perform an additional full-time job thoroughly for 3 months of the year?

General VESSEY. Well, I guess the chiefs themselves would be better able to answer that question, but it is part of their duties in the law to serve as members of the Joint Chiefs of Staff. And certainly, of course, during the 3 months of the year that I ask them to serve as Acting Chairman, they must keep up to speed with the things that I do as Chairman. It requires extra effort on their part. And it is full-time work. There is no question about that. These people have long hours and a lot to do, and this does, in fact, add extra hours to that job of theirs.

At the same time, I would say it has been my experience that working that way has made them better members of the Joint Chiefs of Staff because they have gotten into the other end of the decisionmaking. I would ask the chiefs to comment on that because they can tell you better on the time business.

Jim?

Admiral WATKINS. I was assigned first as the Acting Chairman in the absence of the Chairman of the Joint Chiefs of Staff upon taking the job of Chief of Naval Operations. Because I had had 2 years of prior duty in the Joint Staff, I had a good solid feeling for the staff. But I had no real feeling for the magnitude of the task. Being adviser to the President at the National Security Council meetings and the like on a broad range of subjects was indeed a heavy new task for me.

On the other hand, I found that putting in the extra time—spending the time down in the Joint Staff getting the joint briefing, getting up to speed on Central America and the Middle East issues, many of which involved maritime strategy to which I had been closely allied—was not that difficult for me. With the extra effort I found myself comfortable with the Joint Staff effort. At the same

time, I don't think I subverted my responsibility to the Navy because I feel that many of the Navy issues were really tied in with my efforts in the Joint Staff.

So I felt it was not only important for me as a member of the Joint Chiefs of Staff, I felt I contributed at the National Security meetings and the like and did not feel ill-prepared in so doing.

I believe the same face going in the conference room for 3 months in the absence of General Vessey provides a very important piece of continuity. Other participants can begin to relate to you and you, in turn, can reflect the views of the Chairman and the other Chiefs. I have participated in many conference calls during those periods of time with the other Chiefs. We never do anything without touching base with each other.

I was able to be Acting Chairman and carry out my purely Navy functions. My observations have been that each one of us has been put to the test, has done the job, and feels after it is all over that we made a contribution. We were able to do both tasks and without giving short shrift to either.

General MEYER. I had intended to make an opening statement where I could put my views into perspective.

I would like to talk a little bit on the broader issue, if I may, Mr. Chairman, because clearly I have been an advocate of major surgery and major change within the JCS. I wrote about it in April 1982, in the Armed Forces Journal. I laid out what I considered to be some of the flaws existing in the organization of the JCS.

It appears to me that the most important aspect of this issue, underscored by the appearance of the Chiefs here as a corporate body before you, is an agreement on the part of the Chiefs, which they have stated in their memo to the Secretary of Defense and the President and in a discussion which General Vessey outlined that the Chiefs believe that we need to do a better job of providing military advice to the President and the Secretary of Defense.

We all agree with that. To me that is the most important single step and that was why, since this group of Chiefs was willing to agree on a way to come up with a solution as to how to provide better military advice, I was willing to join with them in a common approach toward the solution.

I learned about accommodation after having watched Congress operate around here for the past 8 years. So I learned somewhat from you.

But I do want to say a few words about that because I do not believe that changes to the JCS alone will do anything. I believe it will do a little—I guess that is a better way to say it. It will improve along the lines Admiral Watkins and General Vessey outlined—those kinds of things will take place. But if the de jure senior military advisers are not, in fact, the senior military advisers to the President and to the Secretary of Defense, and if either of those two go elsewhere for military advice, then all the monkey business you do in reorganizing the JCS will be for naught. The administration proposals that we have here, as far as a change in the law, I support, because they move us in the direction we need to go. As we said in our memorandum to the Secretary of Defense, at this time we don't feel we need to do more.

We still have some pieces that are undone and those are the pieces that relate to reviewing changes as to how we interface with the Office of the Secretary of Defense [OSD]. That action, as General Vessey outlined, is not completed at this instant. But that also has to occur. But even that is not going to be enough unless—and this is where I intend to stand on a soap box—we do something about the basic way we do defense business, and that involves Congress, the administration, OSD, the services, and the JCS.

Here I will be critical of Congress—not critical, merely observant. This year we had to appear before three separate committees of Government working military hardware problems.

I happen to know most of you here so I have a pretty good feeling for what your views are on the purpose for the armed forces. But I will be candid. When I sit before the House Armed Services Committee and look across the spectrum of views that are expressed up there, I will tell you that there are a lot of different views on why we need armed forces and what their purposes are.

So it is not surprising that we have such a difference of views on how we ought to be going about doing our business, and the issues of yearly budgets and no continuity of funding. Those types of things impact on the way we do business.

The JCS changes we have proposed, or those proposed by others, are important. But unless the elemental change is there—beyond any body of senior military advisers or how this Chief provides basic military advice—unless we make some changes in the basic way in which we do defense business, then I am concerned about whether we are getting the most for the defense dollar.

What I would ask is that you judge the proposal that we have made as a corporate body today as one that this group of Chiefs believes necessary to improve the development of military advice.

We also believe that we need to improve the way in which that advice is entered into the system—that is the Secretary of Defense, President, and congressional system.

We all agree this proposal will help and I agree that it will help now and at this time. It may be necessary in the future to make some additional changes, but I believe, as our memo said, that this is the proper approach at this time.

I believe that little meaningful will happen if you just tinker with the JCS. I think it is part of the whole system that must be changed. I support these changes. I believe that as General Vessey said in our combined statement on the last page there, in a paragraph on page 9, that this will provide the opportunity for us to improve the military advice to the Secretary of Defense.

I think that is what this provides. We understand that it is only a part of the solution.

Mr. NICHOLS. Thank you, sir.

Mr. Britt.

Mr. BRITT. General Vessey, when you met with the subcommittee members in May, there was an indication that the JCS was initially split on whether a Deputy Chairman is needed.

General VESSEY. Well, I think we discussed the issue of the Deputy Chairman at great length and we recognized that part of the issue is do you have time enough to do all the things you have to do. So, what we did is, as I told you then, we made the assump-

tion that, all right, there would be a Deputy Chairman. Now let's sit down and write the duties of the Deputy Chairman, recognizing what the duties of the JCS are under law in relationship with the commanders in chief of the unified and specified commands and with the Secretary of Defense and President. We agreed we would try to write the duties of the Deputy Chairman, and where he sits in this hierarchy of things, and what he is to do.

Well, as a body we all tried to do that and we couldn't come up with satisfactory answers. As a result, we concluded that we were better off without a Deputy Chairman. The Chairman had to work hard and we would have to do without a deputy.

Mr. BRITT. The Senior Strategy Advisory Board was included in last year's bill. What are the objections to such an approach?

General VESSEY. Well, it obviously has some value, and to a certain extent it probably has great value. On the other hand, the strategic advice for the United States is how to use the forces we have, or how to build the forces we should have, to do the things that the Nation needs to do. Here, in this group of four service chiefs you have the heads of the four services, you have the people who know more about those services than anybody else. We conclude that, yes, it takes a lot of time. In wartime this body would probably have to devote almost full time to the strategic direction of the war. The building and maintaining of the forces would have to be done by the Vice Chiefs of Staff, perhaps with more authority and a little more assistance. However, in peacetime these Chiefs concluded that with difficulty they could do the job, and they bring unique talents to that job of providing the strategic advice.

The Chiefs might want to add something to that.

Mr. BRITT. No further questions.

Mr. NICHOLS. Let me pursue that just a little with you. The gentleman from Missouri, a very able member of our committee, and very much interested in this issue, is suggesting this advisory committee; and he envisions that on that committee would be five military officers plus one civilian. They would be perhaps former Chiefs of Staff; perhaps you might call General Barrow away from his fishing hole down in Louisiana.

Mr. SKELTON. You will recall I nominated two retiring members for that.

Mr. NICHOLS. That has a good ring to it. I can think of any number of retired people who still are quite active in following the military and the defense posture and often times are outspoken in their viewpoints. I have some concern over the additional slots that would be needed. We would have to go to Congress and ask for those slots.

I have another concern because when a man retires, there is an old saying that "a setting sun throws off very little heat." I am just wondering if it would not be probable that these advisory members of the board, with all of their expertise and knowledge and well wishing, would not be sort of looked at as the over-the-hill gang in many respects, despite their input and the knowledge they might have.

How would you react to former Secretaries of Defense and former Chairmen of the Joint Chiefs? They would be out to pasture, say 4 or 5 or even 16 years, serving in an advisory capacity.

Would you comment just briefly without calling any names or casting any wrath on anybody?

General VESSEY. Well, I think that all of those people probably have advice and wisdom to lend. I want to tell you that we have no reluctance to call on former chiefs or former commanders in chief of unified and specified commands for advice on either general or specific subjects. So, we can and do do that now.

Mr. NICHOLS. In practice do you frequently do this?

General VESSEY. Well, it all depends on what you call frequently, but certainly it is not uncommon to do it. For example, we are testing out a training program for newly appointed flag officers and we tasked three former senior field commanders, commanders in chief, to assist us in this evaluation of that program. After the rescue attempt in Iran, the Joint Chiefs at that time called on former chiefs and commanders in chief to evaluate that particular program and to give them advice on it. So, it is not an uncommon thing to do. The Defense Science Board frequently asks former chiefs or commanders in chief of—

Mr. NICHOLS. The Scowcroft Commission would be a very fine example of that.

General VESSEY. A good example.

Mr. NICHOLS. The President I believe has recreated that or extended that tour.

General VESSEY. Yes, sir.

Admiral WATKINS. Well, I certainly agree that advisory boards are important. I have had one, as had my predecessors for 11 to 12 years, called the CNO Advisory Panel. This executive group is mixed with bipartisan representatives, civilian and military. Admiral Inman, for example, is a member, a very valuable member of that committee.

In addition we meet annually with all the prior Chiefs of Naval Operations. We present them with the latest Soviet threat, the analyses we have conducted, our strategy, our maritime strategy, how it plays with, say, the war in Central Europe or defense of the United States, the Western Pacific, and the like. We then meet with the unified commanders and decide whether or not we should influence the maritime strategy out in the field. We have talked to General Rogers in Europe to show how the maritime strategy in the Northern Atlantic can help the outcome of the war in Central Europe. We are getting advice from as many people as we can.

In the Defense Science Board, Admiral Kidd was one of the members. General Blanchard, who had headed the Army in Europe, was another. So we do seek their advice.

I know when the report came out on the aborted hostage rescue that it made a recommendation that when we had a complex operation of this type in the future, that an advisory panel be brought in. These panels are not statutory in nature. I think when you go to statutory panels you have a different ball game. Then you have a committee. But can a committee have the full responsibility and accountability for a decision?

Who are on the committees? We genuinely tried to understand how to make the group of 10 advisers that were proposed in the prior congressional bill work by saying, How do you pick these individuals? How do you avoid politicization of that group? How do

you insure that the advice you are getting is not going to be any more costly, when coupled with the realities of the forces that we have to train and equip, than we have today.

Our feeling again was that it was very difficult to find such an objective, free-thinking, and up-to-speed panel of individuals who knew the current force levels and knew their readiness posture and the like. The further you get away from that the further you get into the outmoded data base, and we have too many around today using old data, making recommendations on strategies that are outdated.

In my opinion that is where we begin to lose contact with the advisory boards—when they have statutory rather than advisory authority. So I believe it a mistake to go into that kind of assemblage of individuals, with responsibilities to the Congress and the President, who are going to get further and further away from the realities of service readiness, sustainability, and ability to fight the war as time goes on. We are going to have to keep them up to speed. I think it is layering and diluting the authorities and responsibilities the JCS now have under the law and which I think are ample to meet future requirements.

Mr. NICHOLS. Anyone else?

General MEYER. I have something to say, since you have obviously indicated I throw off no heat because my sun is setting, so I would start out by not trying to throw off heat.

It seems to me that there are two absolutes as far as any strategic advisory board is concerned. One is that whatever board it is, it must come under the Chairman of the Joint Chiefs of Staff. There can only be one senior military adviser to the President and to others. It seems to me that however you organize it, you need one senior leader who is charged with providing military advice. That to me is one of the absolutes.

There is an area in which I would take a bit of exception to what Admiral Watkins says, and that is the transition to war and the wartime role of strategic advice. The question is whether or not, under those sets of circumstances, it will be necessary to establish a strategic advisory group which could spend the bulk of their time working on the prosecution of the war, with somebody else running the departments.

It could work either way. I would merely say that you will need in wartime the most senior, brilliant strategists you have operating full time on strategy. How you go about doing that—whether it is this body sitting there doing it or some other body—is something that has to be clearly determined.

General GABRIEL. If I could comment on the last remark made by General Meyer. Today we intend to do that in my mind by the Chiefs concentrating on the wartime mission, obviously, and the Vice Chiefs will fill in the service responsibilities. That ties in with what I wanted to say earlier about being the Acting Chairman. I had some reservation about that in the beginning and, as General Vessey said, we discussed the values of the Deputy Chairman. There are some good arguments for it. But after having been in it now these 3 months, it has been most beneficial to me and it is like wartime in the sense that General O'Malley has filled in a great deal as the Vice Chief. He is running the service and I am keeping

up to speed as well as I can on what the Chairman has to do. It has been most revealing to me and a great education to be exposed to the JCS and what goes on over there at those levels with the President and meeting with the Secretary of Defense, one on one, frequently.

So, I do believe what I say about the wartime mode of operation. I do believe that will work if we concentrate on our wartime responsibilities and have the Vice Chiefs, who have been doing this for us in the main—that is what they do is run the staff and help you run the service—fill in more directly in that role.

Mr. NICHOLS. Anyone else?

Mr. RAY. General Vessey, on page 8 in your testimony, you mentioned several times that needed improvements cannot be made in the Pentagon. This of itself in my mind would tend to confirm that the testimony last year that indicated serious problems exist is correct.

Now, I have tried to read back through some of the testimony, just glancing at some of the problems that have been identified which still exist today. In your mind does this mean that maybe these problems cannot be solved internally, or are we going to have to resort eventually to legislation to deal with some of them to get them handled?

General VESSEY. Well, I think, as General Meyer said, when we went through this exercise of examining our own duties and the way we carried out our job, we came to the conclusion that the objective of the exercise was to make the Secretary of Defense—when you look at what his duties are in the law, and where he sits in relationship to the President and what happens to defense in this country—that the objective of the exercise is to make the Secretary of Defense as effective as we can possibly make him. That requires the right relationship between and among the Joint Chiefs and between them and the Secretary of Defense and the Secretary's civilian staff, the Office of the Secretary of Defense. Certainly the Secretary of Defense then is the agent of the President in commanding the operating forces.

Can it be done without changes in the law? As we said, we believe that with these changes in the law we have a good chance of doing what needs to be done. But as General Meyer said, we all recognized that there are some changes that need to be made in the way we do defense business. Some of those changes might well go beyond the Defense Department, such as the things that have been suggested, multiyear budgets and such things as that, with the work that you people have to do. We have set out with the Secretary of Defense to work out the relationships among us, the Secretary and his civilian staff, to get the most efficiency out of that relationship.

Now, can you change that, can you do anything by changing the law? Well, I guess you can write "Do good work" in the law and then if people don't do good work, make it punitive or something like that. That might have some effect on it. These are very difficult problems that we deal with. I would say change the law as has been proposed and then we have a good chance of marching on to make the other changes that need to be made.

We don't want to try to lead you to believe that only those changes in the law are all the changes that need to be made. We need to make some changes and we are making some changes in the way we do our business as a body, and the way we do our business with the Secretary of Defense and his civilian staff.

Mr. RAY. Thank you.

I read in last year's testimony, although I was not on the committee, that an overwhelming majority of the witnesses testified to the problems that were existing. It seems to me that your proposal for correcting some of these is rather modest. Do you think that is really going to do the job—the proposal that you have recommended?

General VESSEY. Yes, we think that proposal, plus the other changes that we see that need to be made; that is, those are changes that we believe do not require changes to the law. But we believe that both sets of changes need to be made, not just the changes in the law. We need to improve in all facets of it and we are working at that now. We think we see some progress. We have a longer way to go.

Mr. RAY. Well, thank you.

That is all the questions I have.

Mr. NICHOLS. Mr. Britt.

Mr. BRITT. Thank you, Mr. Chairman.

My understanding is that something like a fourth of the officers assigned to the Joint Staff have had previous joint experience. Only a fraction of those that receive the joint training have been assigned to the joint positions. In my experience in the Reserves, I find there is a lack of continuity. What would be your reaction to a joint specialty in each service or some means of identifying bright, cunning officers on a planned basis, giving them either a joint specialty or at least some of the interaction on a direct recurring basis, so that at some point they would have this awareness of the importance of the Joint Staff, or the joint decisions, and thus perhaps create a multiservice viewpoint rather than the single-service viewpoint?

General VESSEY. Well, what we have done is to propose a change in the law which permits us to extend the terms of service on the Joint Staff. The other changes that we can make are internal changes. First is the attention of these four service chiefs to providing high quality officers to the Joint Staff and to joint duty. They have all pledged to do that. I think that is underway.

There are some administrative things we have under way now. The services have agreed to a common system for identifying people who have had joint experience so that information is readily available to us. We can get a better look at the overall experience that might be available to fill a given job.

I would ask the Chiefs if they would like to respond.

General GABRIEL. I would like to comment on the quality of our people in the Joint Staff, just speaking primarily for the Air Force. I think some have maligned the quality there. It is much better than you think. The Air Force people on the Joint Staff have a much higher special rate of promotion at all ranks than the Air Force average. We have five four-stars in the Air Force today who either served on the Joint Staff or assisted in the Chairman's

group. I don't think we need to make any apologies about the quality of the people that we are sending down there.

I am not saying they cannot be improved with Joint Staff training. The Chairman talked about service schools as well as the capstone course we are giving to the people that might be coming into the joint business. We do track them. By the way, Air Force personnel keeps a handle on the people who have had joint experience.

Mr. BRITT. General, I certainly wouldn't want my question to be perceived as saying there is anything less than the finest quality there. It really goes to the other side of that, given the importance of this and given the fact that there is a learning curve and a learning to work together and think together on a unified basis. If we had perhaps a joint specialty, if we had some sort of framework within which we identified the officers in all services, and gave them exposure and expected that they might have multiple tours of duty, serving together and maybe even expanding contacts among their counterparts, it might be useful. I am not talking about the lieutenant level but at the really senior level. A joint specialty, some type of formatted plan, would give experience not just to exceptional individuals but to other individuals who had experience working together in a unified command who have had specific training in their career pattern itself and anticipate that they will be working in some type of joint command.

General VESSEY. We are doing that in these areas that I pointed out. But I want to tell you that as we bring officers from the four services to the Joint Staff the most important talent that they can bring to the Joint Staff is being good officers in their own service. When I want people down there, if I want airmen I want the best airmen he can provide, I want the best combat soldiers he could provide, the best marines, the best Navy people, who know their own service thoroughly. But they also have to bring that extra capability, the ability to work together, to look toward the unified things.

So I am against creating a corps of joint paper pushers that don't have the right contact with the fighting element of their own service.

Some of the other Chiefs might want to add something.

General BARROW. You don't want to do that, Mr. Britt. You don't want to take away the reality of warfare by having specialists, specialists in the bureaucracy of joint activity and joint planning. You have to have people who have had their judgment tempered by some sort of operational experience.

Mr. BRITT. My question would not be whether we should set aside sort of a corps of different units. These joint specialists would have to be people from the service. But my point is to phase into that joint progression I would have people with operational experience and who go back after joint assignment into their operational specialties or general line-type service operations. But these people would have had joint training and when they come to serve in the joint command they would have had that joint experience in the past, perhaps, or special training.

General BARROW. We frequently have that now. People do more than one tour in joint work; sometime at the unified command

level, sometime in the Joint Staff over in the Pentagon. All of it is in the same ball park.

Mr. BRITT. I think the operational end is critical. If you try to have some kind of a small elite unit, I agree with you that would be counterproductive. But I do think that recurring exposure—recurring experience and recurring training looking toward a unified perspective—could be helpful to those who serve.

No further questions.

Mr. NICHOLS. Mr. Skelton, your witness.

Mr. SKELTON. I submit, Mr. Chairman, that the gentlemen before us have made my case. One gentleman remarked that the Vice Chiefs should run the services and these gentlemen should spend time on joint activities.

Another remarked that during a transition to war, you need full-time people with the most brilliant strategies.

Another, we need one senior military leader.

Another, it is not uncommon to call upon the retired officers for advice.

Another, that we need to improve the military advice to the President and Secretary of Defense.

Another, that there is concern about getting the most for the defense dollar.

Another commented about not being satisfied with the way that we are doing business today.

Another, that better military advice to the President and Secretary of Defense is needed.

Another commented that in the future they will do better and that there was confidence that we can in the future turn our hats around without conflict of interest.

I think, gentlemen, you have made my case.

I will ask General Vessey: When this committee was wrestling with the 6 percent figure that we had to wrestle with—of an increase of only 6 percent as opposed to what the President recommended—we found ourselves in a position of having to cut \$10.5 billion from the recommendation, was there a formal recommendation from the five of you to us to tell us how to do this and give us advice?

General VESSEY. No, there wasn't a formal recommendation from the five of us to tell you how to do that, and that is primarily because the budget that is sent up is the Presidential budget. We make our recommendations to the Secretary of Defense who makes his to the President, and the President sends the budget over here.

Mr. SKELTON. Nevertheless, General, you all do testify in front of us and those questions were put to you on how we could cut the budget. Is that not correct? You see, you leave it up to a small country lawyer like me to make the tough decisions. I take them very seriously, General. And we did—this committee in line with the budget that we had to live under, a 6-percent increase—we had to cut \$10.5 billion. Were you able to agree to make any recommendations to us to assist us?

General VESSEY. Well, I think, as we discussed earlier, if that were a part of our duties, that we could agree on recommendations to you on how to do that, but that is not part of the system as it now stands.

Mr. NICHOLS. Would you yield?

Mr. SKELTON. Yes.

Mr. NICHOLS. General Vessey, the five of you at the table are the senior military advisers to the President. Why isn't that your job?

General VESSEY. Well, Mr. Chairman, you know that when the President sends a budget over here, he has spent a lot of time and listened to the advice not only of his senior military advisers but to the rest of his advisers on how that budget ought to be put together. We come over here with understandable marching orders from the President to defend that particular budget.

Now, if the system is to be changed to have us provide direct advice to the committees on how that might be done, that is another matter. But it is not part of the system now. We give you facts and information but we come over here to defend the President's budget as he put it together, as you well know.

Mr. SKELTON. May I ask General Meyer about an article he wrote for the Armed Forces Journal in April of 1982? General, you pointed out the very thing that I alluded to in my testimony. You were not here, but I alluded to dual hatting; that is, doing two jobs.

Does that still stand as a matter of fact?

General MEYER. Yes, it does. As I pointed out, Mr. Skelton, I laid out what my paradigm is for change in the article in April of 1982, and that I believe that I have a requirement to work within the art of the possible for what can and cannot be done. In working with my peers here, as I said, it seems to me that the most important issue that is raised is that everyone here believes we need to improve the quality and the timeliness of the military advice that we provide.

So I continue to project that out into the future. I have said that at this time I believe that it is important that this be done. I will go back to my main point. I would contend that as you address the issue of 6 percent and a \$10.5 billion cut, you are addressing the broader issue and not reordering of the JCS. You are addressing the issue of how we go about doing defense business. Reorganization of the JCS is only a segment of the problem and unless the kinds of things General Vessey outlined here are effected. We don't have any chance of getting improvement.

Mr. SKELTON. Thank you.

Mr. NICHOLS. Mr. Lally.

Mr. LALLY. Thank you, Mr. Chairman.

General Vessey, prior to your testimony Mr. Skelton eloquently supported his proposal for a Chief of Staff to the National Command Authorities who would be the sole principal military adviser to the President and the Secretary of Defense.

I believe that General Meyer's views on this proposal are known, but I was wondering if we could have the views of the other members of the Joint Chiefs on that proposal.

General BARROW. You can surely have mine.

I think it would be a mistake. I don't think any one man is capable of doing it. I think that the system we presently have, in which we as service chiefs understand the services that we represent, brings the best possible set of advice to this joint body.

Admiral WATKINS. We agree with General Barrow. When we went through the very significant debate on MX, we spent almost

50 sessions of the Joint Chiefs of Staff wrestling with a very difficult set of issues before the Presidential decision of last November. We had a differing set of views, which isn't bad in this town, and we came up with a 3-to-2 vote which got a lot of publicity. It is unfortunate it did. In my opinion, it was an internal decision. We all felt that MX had to be fielded. It had to be fielded right away and on time.

There was a question about the basing mode and we disagreed on that. The Chairman encouraged constructive dissent in accordance with the provisions of the existing law, and the Secretary of Defense encouraged that dissent to be expressed to the President. This Chairman of the Joint Chiefs gave a presentation before the National Security Council that was reported to have been one of the finest presentations ever made over there by a Chairman of the Joint Chiefs of Staff because he did put in the dissenting opinion of every member explaining why we dissented and our rationale.

Now, in my opinion that provision of the law is adequate today, and you will be better served by five people voting 3-to-2 than one person with an assured yes vote.

Mr. LALLY. General Gabriel.

General GABRIEL. I agree, I think taking the Chiefs out of the joint business will be a big mistake.

General MEYER. I believe there are two issues. I think that under the current situation, what has been outlined is correct, but I must remember there are legislative changes proposed to make the Chairman the principal military adviser to the Secretary of Defense.

Mr. LALLY. General Vessey, you identified the quality and the timeliness of advice as one of the criteria that you used in evaluating reorganization proposals. Have you been able to effect any changes which would improve the timeliness and the quality of the advice to the national command authorities?

General VESSEY. Yes, I think we have and I think that is part of our relationship with the President and the Secretary of Defense. That is, in times past, I am sure it has varied with different sets of Chiefs. I know in my past service, either as Vice Chief of Staff or Deputy for Operations, there have been times when the Chiefs felt that they weren't asked for advice. This particular body here has taken the view the President is going to get our advice whether he asks for it or not, and I think that is the right thing, the right view for the Joint Chiefs of Staff to have.

I don't think you change that by any changes in the law. There just needs to be that carefully tended relationship between and among the President and his military advisers and he has to understand he is going to get our advice. He doesn't have to take it, certainly, but we need to understand that he needs our advice and we need to get it to him on time on the important national security issues.

Mr. LALLY. In his testimony last year former Secretary Brown pointed out that he found, because of this lack of timeliness, that he and the President had to resort to the civilian advisers. Has there been any evidence of that during your tenure as chairman?

General BARROW. Let me add to that question because I have been there 4 years and I think we have been dancing around a

very key issue here, sir, and that is that the JCS is very personal-ity sensitive. There is no such thing as a JCS in perpetuity. It changes every time the membership changes, and this particular JCS is an effective, good JCS. I will make the prediction that the one that is going to be in existence on July 1, with my successor and the successor to General Meyer, is going to be a good JCS. The key to all that is this fellow sitting here. [General Barrow motions toward General Vessey.] What kind of leadership does he provide to this body that makes things happen, that causes advice to be timely, that avoids trying to seek consensus or unanimity at all costs?

The latter is an experience I had for 3 years over there, that we must all speak with one voice. Well, that is great if you can, in fact, at the outset be in agreement, because your position is obviously strong by the fact that five of you agree. But if you have to water down the disagreements so that you reach some common level of assent, you have, in fact, produced pap and not in a timely manner. That is history, and I really don't like to talk about it.

But this fellow [General Vessey] has not given himself enough credit. He came in a year ago with clearcut objectives he wanted to achieve, and one of them was obviously to enhance the timeliness and the effectiveness of the advice we give to the Secretary of Defense and the President. In my judgment, that has been done. Can it be done better? Of course it can. Anything that one does can be done better. I personally like what we have. I predict on July 1 it is going to be even better.

Mr. LALLY. Thank you.

Thank you, Mr. Chairman.

Mr. NICHOLS. Mr. Barrett.

Mr. BARRETT. Yes, sir.

I would like to return to General Meyer's testimony of last year because it certainly conflicts, I believe, with what he said today.

He cautioned the subcommittee last year that any change we adopt should do a number of things. One is that it must enhance "the role of the chairman and permit him to take charge of what I consider to be elemental internal discussions."

He also said, "I don't believe you can tinker with the issues any longer; tinkering will not suffice."

In his article in the Armed Forces Journal, he said that "General Jones' proposal clearly moves us beyond the current system and well along the path of reform. Yet, even with adoption—a process which will require some legislative action—an opportunity for further building exists." And he goes on and says, "First is the divided loyalty we currently demand of the Service Chiefs" that must be ended.

Now, it seems to me that, with those sorts of past statements, to come here and indicate four rather modest administration changes will accomplish any part of his proposed reform is really a change in one short year.

You said earlier, General Meyer, that the quality of military advice must be improved. You said the things you propose in the four items of the administration bill and the other changes that will take place internally will improve military advice. I don't

know if any one of them affects military advice. I understand the improvement in the chain of command but not in military advice.

General MEYER. That is the reason I chimed in specifically when the Chief of Naval Operations made his comment, because the law that we are proposing is proposing a legislative change which does specify that the Chairman be the principal military advisor, is your principal military advisor.

I am sorry, excuse me, I am wrong. The Chairman is the representative for the Chiefs in providing military advice along the lines that had been outlined.

Is Meyer inconsistent with what he said last year? The answer is yes. I have tried to explain why. Not because I don't believe that at some point in time we have gone in the direction in which I have indicated, but rather I believe that this group of Chiefs, as General Barrow has outlined, has been able to come to grips with some of these problems. At this time, this provides a solution to the problem when you are trying to get political support from a group this far into an administration, where you would have to make any sort of management changes.

I believe this system should have an opportunity to work. But I believe that it has to draw with it the other aspect that I have talked about, and that is how we work with the Defense Department and how we work with what happens over in Congress. I think that even to make all of the changes in the radical way that Meyer proposed would be ineffective if you don't change the rest.

Mr. BARRETT. One followup question.

Representative Skelton this morning indicated that, even in this era in which we have a smoothly oiled JCS working in conjunction with the President and the Secretary of Defense, we still have problems because you cannot act as a principal military adviser in resource allocation matters. When General Vessey was asked a question on that earlier, he answered, Well, we give overall requirements, but when it comes to cutting we turn to the services.

Now, it seems to me that there is some conflict there with the JCS role of principal military advisers when some of the most fundamental questions facing the country are, How do you cut the budget and How do you allocate priorities, and your answer is that you turn to each individual service.

How do you prioritize between the services?

General VESSEY. I think that you misconstrued my answer.

Mr. BARRETT. I am sorry.

General VESSEY. The prioritization isn't between the services, it is among the missions to be performed and how best to perform those missions. The JCS can give that advice. When you get down into taking "x" number of dollars out of a given line item, and so forth, what I don't want to see happen is that moved to the JCS and the Joint Staff because each of the services has experienced staffs to take care of that detail.

So I don't want you to believe that we cannot and should not give sensible and cogent advice on what areas to pursue to make those cuts.

Now, the details of line items and dollars are over in the comptroller in the service side of the house. Prioritization for resource allocation is a job that we all agreed has not been done well by the Joint Chiefs in the past and we agreed that we would make great

efforts to do better. I think we are in the process of doing that right now as we examine the 1985 budget. This is the first impact that we are going to have in our attempts to do better resource allocation. We won't do it as well with the 1985 budget as we ought to do it, but the impact that the JCS will have on the 1985 budget will be a whale of a lot greater than it has been on budgets in the past.

General MEYER. I believe we are headed in the right direction in that area. I believe the Joint Staff needs additional help to do some of the work. I think those things are on track, but that is still a requirement with which the Chiefs have to come to grips. This group has begun to come to grips with it in a workman-like way.

Mr. SKELTON. I think that we would be remiss if we didn't say a special thanks to two gentlemen here, General Meyer and General Barrow. This is their last month of duty, I understand. I know everyone, not just this subcommittee but the Congress, owes you a great deal of thanks for your dedication, straightforwardness, and for doing a job. All I can say is we will think of you and we are proud that we were able to work together and serve during the same watch.

Thank you.

Mr. NICHOLS. All right, I am going to suggest that we leave the record open for any questions that might be propounded.

[The following questions were submitted to the witnesses to be answered for the record:]

Question. General Vessey's statement indicated that "the Secretary of Defense has asked that I, as the Chairman, become their (the unified and specified commanders') spokesman on operational requirements."

a. Has the Secretary of Defense issued a new directive to that effect? If so, please provide it for the record.

b. Does the Chairman's new role as spokesman for the unified and specified commanders (CINCs) include the responsibility for providing military advice on operational requirements to the Secretary of Defense?

c. Will the Chairman be responsible for integrating the CINCs' operational requirements and allocating priorities to them?

Answer. a. It was an oral directive given me by Mr. Weinberger when I assumed my duties as Chairman. It is understood by all the CINCs, the members of the JCS, and by the leadership in DoD; and it has worked very well over the past year. This directive is codified in part by our proposed legislation to place the Chairman in the chain of command.

b. Providing military advice on operational matters is not a new responsibility under Title 10 and is not affected by this directive.

c. The Chairman, along with the JCS, is responsible for integrating the CINCs' operational requirements and allocating priorities among the CINCs. We do this as a part of the development of our war plans. We have a global strategy and it is critical we do a good job in integrating the operational requirements of each of the CINCs into the whole and in assigning clear priorities for the allocation of scarce resources—ships, planes, equipment, people, and so on. As I said, we called in each of the CINCs from the field to brief the JCS on his most demanding war plan. This has helped us a great deal; and I'm confident we're getting better.

Question. General Vessey's statement lists five criteria which the Joint Chiefs of Staff employed in examining each recommended change. Please explain how the criteria relate to each of the Administration proposals.

How would the President and Secretary of Defense receive better and more timely advice?

How would the requirements of commanders in the field be better met?

What improvements in the ability to allocate national security resources would result from the Administration proposals?

How would civilian control be maintained?

How would our ability to wage war be improved?

Answer. First, it should be noted that our final criterion for change reads to "maintain," not "strengthen" civilian control.

We determined that many of the improvements either could be effected within existing legislation or did not satisfactorily meet these criteria. Other improvements which were necessary required legislation and those changes are contained in the Administration's legislation—legislation which was proposed by and concurred in by all the JCS.

The JCS recommended two changes to existing legislation which applied the criteria as a road map. Changing the statutory restriction on the size of the Joint Staff and tenure of its officers would allow for a larger staff, as needed, and a more experienced staff to assist in providing better advice and to provide it more expeditiously. Clearly, we must streamline the efficiency of what we now have. But the fact of the matter is that we cannot produce the desired results in a timely way without some flexibility in our personnel management. Also, placing the Chairman in the chain of command serves in part to codify my role as spokesman for the CINCs as well as to clarify the relationships of the CINCs to the National Command Authorities. As the law now reads, there is no military officer in the chain of command between the civilian leadership and the CINCs. In the event of war, the Secretary of Defense would not be able to focus on the daily operational decisions he has to address. We see where the Chairman would do most of that, referring the larger matters, such as national strategy and policy, to our civilian leadership. Our change would clarify this relationship and thus ease wartime transition should deterrence fail.

Question. General Vessey's statement indicates that "improvements are underway" (pg. 2) and that the JCS believe "that other improvements can most probably be made within the boundaries of existing legislation" (pg. 8).

Please list and explain the specific measures that have been taken or are being planned to improve the Joint Chiefs of Staff and Joint Staff.

Answer. As I said in the formal statement, our common goal is to provide the best possible, timely military advice to the President and Secretary of Defense while at the same time improving the effectiveness of our own operation. I have already outlined the new legislation that is needed, but we do not have to wait for changes to the law to initiate the other improvements which we recognized are necessary. In concert with the Office of the Secretary of Defense, the Services, and the Unified and Specified Commands we are moving on these initiatives.

The first and foremost responsibility of the JCS is to "Prepare strategic plans and provide for the strategic direction of the Armed Forces".

--To sharpen the JCS strategic focus, the individual CINCs have met with the JCS on twenty-four occasions during the last year to outline their concept of operations for the most demanding war plans. This represents more than twice the number of CINC/JCS meetings held during the previous year. From these discussions there emerged new guidance for the development of a global, warfighting strategy which combines requirements, capabilities, and resources. To assist the Secretary of Defense in coordinating this military strategy with his overall policy, the JCS are recommending that they take a more active role in preparing those parts of the Defense Guidance related to strategic guidance, threat assessment, force planning guidance and resource planning guidance.

—Strategy must be translated into plans and plans must be quickly executable. To this end, we have instituted an across-the-board effort to streamline and integrate the planning process. Near term improvements include: a modularized, automated system for course of action development and execution planning; plans integration for simultaneous execution; and acceleration of a streamlined joint deployment system. In the longer term we are building a replacement for the current joint planning system. The new joint operations planning and execution system will satisfy the needs of decisionmaking to handle mobilization, deployment and employment in deliberate and crisis situations and will assist the Unified and Specified Commanders in preparing their plans. The Joint Staff has taken the lead in opening to the CINCs the latest in modern planning aids, such as gaming and simulations, which have been developed within the Services, Defense Agencies and military schools.

—Consistent with improvements in operations planning, the JCS have assumed a positive and direct role in the critical area of strategic nuclear planning. This involved a substantial emphasis on the capability to analyze and refine: damage criteria; red-blue comparative assessments; strategic force and weapon projections; and target base development. To discharge their responsibility for comprehensive advice for national decisionmaking, the Chiefs have been personally involved in addressing the complex and complementary areas of force modernization, arms control and strategic defense. Concurrently, the JCS participation in interagency deliberations

and international negotiations has been strengthened. To maintain the momentum, the JCS are recommending that they assume the full burden of nuclear weapon employment planning for the Secretary of Defense.

The foundation of Joint planning is joint doctrine. The success of our plans is directly proportionate to the ability to integrate unique Service capabilities at the point of decision. Recognizing this, the JCS have embarked on a series of activities designed to strengthen their influence on the development of joint doctrine. For example, joint doctrine has been published for the conduct of special operations and psychological operations. A system to profit from lessons learned in joint and combined exercises has been initiated. The JCS, through the Joint Staff, have taken the lead in evaluating joint doctrine for tactical information distribution, strategic and tactical connectivity, electronic warfare, and plans review, to name but a few. Most importantly, for the first time the Unified and Specified Commanders have been tasked to work on joint doctrine in such diverse areas as interdiction, second echelon attack, theater air defense and sea lane defense. This ensures those who command the forces have a direct say in how they will be trained to fight.

Another responsibility of the JCS is to advise the National Command Authorities on the establishment of unified commands in strategic areas. A revitalized global strategy mandated a review of the Unified Command Plan. This has been done and recommendations have been forwarded to the Secretary of Defense to assign and realign unified command areas of responsibility in order to permit a better transition from peace to war and facilitate planning and execution of military operations on a worldwide basis.

Early in our review it became apparent that the JCS needed to do a better job in executing their statutory responsibility to "Review the major material and personnel requirements of the Armed Forces in accordance with strategic and logistic plans." There was a clear need for a more direct involvement in the programming and budgetary process. Much has been done.

—The CINCS now directly participate with the JCS in assisting the Secretary of Defense in the preparation of his annual resource allocation guidance and review of the Five Year Defense Program. The JCS have recently undertaken to advise the Secretary on those programs and budget issues which have a major impact on US aggregate warfighting capability or which result in major disconnects in cross-service programs. Further, as the Chairman of the Joint Chiefs of Staff, I am the uniformed spokesman for our Unified Commanders within the senior DoD resource allocation decision body.

—With over 20,000 military personnel serving in joint or unilateral assignments, oversight of personnel requirements is an essential function. The JCS have inaugurated an enhanced joint manpower program and five year plan which together will form a long needed basis for decisions related to manpower allocation, validation, and utilization.

—More, of course, remains to be done and we plan to continue along a course which leads to a stronger JCS role in resource management. Areas such as wartime medical planning, industrial and mobilization preparedness and logistic supportability merit greater attention.

Military education and joint training are areas in which there is room for improvement. The first steps are being taken. A training program for Joint Staff officers at the executive, management and action officer levels is being instituted. A review of the curriculum of the joint service schools is continuing. A course to educate newly selected flag and general officers in the joint process has been inaugurated. A military education coordination council is in being. To address the overall responsibility for professional military education we are in the process of preparing a document which will clearly define the division of responsibilities between the JCS and the Services and will promulgate joint policies.

Finally, as you are well aware, I am responsible for managing the Joint Staff on behalf of the JCS. Sound, useful, timely military advice in large part depends upon the effectiveness of the Joint Staff in supporting the JCS. I take this charter very seriously. The Joint Staff is comprised of hard working, dedicated professionals with whom I am proud to serve. As with any organization, however, there are improvements which can and must be made.

—The quality and experience level of the individual staff officer needs to be increased. Measures are being taken to accomplish this goal which I will detail in my response to the last question.

—The Joint Staff needs to be more functionally organized to better support the JCS in the discharge of their assigned responsibilities. This is happening. A Manpower and Personnel Directorate has been established to manage joint military manpower, overseas joint military education, and assist in preparation of advice on

these matters. A dedicated organization has been established within the Operations Directorate to provide direction and oversight for the enhancement of operational planning and execution. As a first step in supporting a stronger JCS role in the program and budget system, a small Resource Analysis Division has been established. We are planning to expand this capability as resources permit. I also believe it is necessary to upgrade the Joint Staff's ability to analyze joint warfighting capabilities and requirements. A proposal to achieve this new level of support is under study. A number of organizational changes are being effected in the command, control and communications staff which look toward greater effectiveness in joint requirements integration management, joint strategic connectivity, joint tactical communications, joint satellite communications, and worldwide military command and control. Beyond these actions which are either completed or underway, I intend to continue examining the entire Joint Staff organization with an eye toward achieving greater functional efficiency.

—Quality, training and organization are only as good as the way the staff goes about doing its business. Improvements in timeliness and quality are the essential objectives. The JCS have provided 60 percent more top-down guidance to the staff this year than last. Top-down guidance reduces false starts and the time involved to formalize JCS guidance and decisions. The quarterly Acting CJCS rotation system, previously mentioned, has also measurably assisted in the continuity of staff guidance. Internal staffing procedures are being streamlined and all the coordination procedures for joint actions are being reexamined. A state of the art interactive office information system is programmed for introduction in fiscal year 1984. This, combined with a planned, computerized document storage and retrieval system, will propel the Joint Staff out of the mid-1960s into the late 1980s.

Question. The subcommittee was told last year that less than two percent of the officers assigned to the Organization of the Joint Chiefs of Staff (OJCS) had had previous Joint Staff experience. Moreover, only 13 percent of middle grade OJCS officers and less than 25 percent of the colonels and Navy captains had joint schooling. Finally, most OJCS officers were assigned directly from the field without training.

What has been or is being done to improve the joint education and experience of Joint Staff officers?

Answer. I want to say first that we have fine people on the Joint Staff now. And they're working very hard and very well on tough problems. I also want to emphasize that, although joint experience or joint training is important, the most critical skill that officers bring with them to the Joint Staff is a thorough knowledge of their own Services. We don't want a corps of professional paper pushers. We want officers who bring expertise in their Service and can roll that knowledge in with officers of other Services for the good of the whole. The mid career Service schools all provide some training in joint matters; nevertheless, the experience profile of officers assigned to the Organization of the Joint Chiefs of Staff as of 15 July 1983 in the aggregate was slightly below a desirable mix:

	Percent
Previous Joint (OJCS or unified command).....	18
Previous Joint and Service Staff.....	13
Previous Service Staff.....	24
No previous Joint or Service Staff.....	45

This experience profile reflects some degree of inexperience in joint matters, varying between Services—some higher, some lower. The Service Chiefs are aware of this and are taking steps to correct any deficiencies which might exist. Within the Joint Staff we are developing a Joint Staff Officer Training System to provide improved advice to the Joint Chiefs of Staff by training newly assigned officers in the joint system and sharpening individual skills. We are examining a system to provide individually-tailored, initial and follow-on instruction at three levels: Executive (General/Flag); Managerial (Division Chief); and Action Officer.

Mr. NICHOLS. It is the intent of the Chair to have at least one more session on this subject. We have invited a former chairman of the Joint Chiefs, Adm. Thomas Moorer, to testify, and we have invited Gen. Maxwell Taylor to testify also. Then it would be the intent of the chairman to try to have a markup and get this matter resolved in some way, General Vessey.

I want to say for the entire subcommittee that we hate to lose you, General Meyer and General Barrow; you have been great military men; you have served your country in a very fine way.

General Barrow, I was at Quantico over the weekend. Your ears must have been burning. Those marines down there are very high in your praise. We appreciate the frankness with which you have addressed the answers to our questions and I am certain that Gen. P. X. Kelley is going to be a great commandant as well. This probably will be the last time the two of you will come before the Armed Services Committee, and I want to thank you on the part of this subcommittee and the full committee for the contribution that you have made to the defense posture of this country.

General BARROW. Thank you.

General MEYER. Thank you.

Mr. NICHOLS. If there are no further questions or comments, the subcommittee will stand adjourned subject to the call of the Chair.

[Whereupon, at 12 noon, the subcommittee was adjourned, subject to the call of the Chair.]

**HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
INVESTIGATIONS SUBCOMMITTEE,
Washington, D.C., Thursday, June 23, 1983.**

The subcommittee met, pursuant to notice, at 10:30 a.m., in room 2212, Rayburn House Office Building, Hon. Bill Nichols (chairman of the subcommittee) presiding.

Mr. NICHOLS. The subcommittee will come to order.

The Investigations Subcommittee resumes its inquiry into the organization of the Joint Chiefs of Staff.

We are indeed privileged this morning to have as a witness one of the most distinguished military figures in American history.

He is a native of Missouri. The Honorable Ike Skelton has asked for the honor of introducing him, and at this time I recognize the gentleman from Missouri, Mr. Skelton.

Mr. SKELTON. Thank you, Mr. Chairman

**STATEMENT OF HON. IKE SKELTON, A REPRESENTATIVE FROM
MISSOURI**

Mr. SKELTON. It is more than a pleasure to introduce the witness today.

As you pointed out, he is a fellow Missourian, a great American, who was born in Keatsville, Mo., in Sheridan County, and raised in Kansas City, which is just not too far up the road from my home town of Lexington.

He has had a very distinguished career. He has had the titles of commanding general, 8th Army in Korea; the Army forces in the Far East; the commander in chief of the Far East Command; Chief of Staff, U.S. Army; military representative of the President. U.S. Army element, Office of the Secretary of Defense here in Washington; the Chairman of the Joint Chiefs of Staff; Ambassador to South Vietnam.

But I suppose, were you to ask him and to press him, I am sure that the General would say that his most memorable assignment was that as commanding general of the 101st Airborne Division during World War II. We are proud of him in Missouri, and we are proud of him as an American.

He served as a member of the Joint Chiefs of Staff, as Chairman of the Joint Chiefs of Staff, and in positions where he was on the receiving end, on the other end of giving the Joint Chiefs of Staff advice.

There is no way adequately to introduce Gen. Maxwell Taylor but to say, welcome, and we look forward to hearing from you, sir.

Mr. NICHOLS. Thank you, Mr. Skelton.

As in our prior hearings on this issue, I want to invite the gentleman from Missouri, who has a tremendous interest in this subject, to sit with the Investigations Subcommittee this morning.

Before you proceed, General, I would like to add, on behalf of the Investigations Subcommittee, our sincere welcome. As an old soldier who served in Normandy, Luxembourg, and Germany, I well recall the 101st Division, and I had the pleasure on one occasion of following that division, and if there were ever great soldiers, great Americans in the defense of this country, it was that division, sir.

We are aware that this is the third occasion in less than a year that you have testified on the reorganization of the Joint Chiefs of Staff, and we sincerely appreciate the sacrifice that you are making to improve our defense structure.

Copies of your testimony last year have been distributed to members of the subcommittee. An additional copy is before them.

So, General, again, we are glad to have you, and you may proceed with your testimony at this time, sir.

**STATEMENT OF GEN. MAXWELL D. TAYLOR, U.S. ARMY (RET.),
FORMER CHAIRMAN OF THE JOINT CHIEFS OF STAFF**

Mr. NICHOLS. I thank you, Mr. Chairman.

And may I also thank my Missouri friend, Mr. Skelton.

I am very happy indeed, Mr. Chairman, to have the opportunity to testify again before this subcommittee.

I should say at the outset—I should apologize at the outset—for my very hoarse voice. If I am not being heard properly, please let me know.

The subject of this discussion is the organization, and inevitably also, the procedures of the Joint Chiefs. Both are matters of long-time interest to me. I understand you have my testimony of last year, and I have not referred directly to it.

Since that time, my views have changed little, if at all, and are quite similar to those expressed by Congressman Skelton's bill, H.R. 2560, presently before you.

The most important event bearing on the Joint Chiefs of Staff issue since our last meeting has been the submission of the DOD bill, H.R. 3145, which I shall comment on at some length.

As you know, it contains two proposals, the first being to insert the Chairman, JCS in the chain of command.

Although the Secretary of Defense refers to it as "an important Defense initiative," I find it little more than a legislative legitimization of most of the DOD Directive of December 2, 1971, which reads, as follows:

The National Command Authorities [NCA].

The NCA consists only of the President and the Secretary of Defense or their duly deputized alternates or successors. The chain of command runs from the President to the Secretary of Defense and through the Joint Chiefs of Staff to the commanders of the unified and specified commands.

The language used in H.R. 3145 reads as follows:

The chain of command runs from the President to the Secretary and through the Chairman, JCS to the combatant commands. Orders to combatant commands shall be issued by the President and the Secretary through the Chairman, JCS.

Thus, the only difference between the bill and the old DOD directive, now 12 years old, is the omission of the title, "National Command Authorities," no reference to "duly deputized alternates or successors," and the replacement by the Chairman of the Joint Chiefs of Staff as a body in the chain of command. The only news

in this initiative, as I see it, is that the Secretary is now willing to concentrate the power of this position in a single officer rather than in a less dangerous committee.

Now, the power, of course, is not great. In fact, the language of H.R. 3145 authorizes the Chairman to do little more than forward orders from the President and the Secretary to field commanders, which, to me, is pretty much a clerical function.

If the intention is to elevate the Chairman notably above his colleagues, that result is not achieved.

The other proposal in H.R. 3145 is to moderate some of the restrictions on service on the Joint Staff. The changes proposed are reasonable but also of little importance.

In reading H.R. 3145 and related papers, I get a quite different impression of the attitudes of the Secretary and of the Chairman toward the need for JCS reform.

The Secretary sees little, if any, need for change, convinced, as he says, that the present system "has provided Presidents and Secretaries of Defense with competent military advice for more than 30 years, while maintaining effective civilian control of the military."

The Chairman, General Vessey, in his testimony before you, is inclined to concede the existence of past faults in the system but believes that he and his colleagues have agreed on a series of remedial actions, which, if allowed to run their course, will correct the defects.

They make an impressive list, but unfortunately offer no remedy to old weaknesses, such as the following:

- A. The excessive workload of the dual-hatted Chiefs;
- B. Their demonstrated inability to produce timely advice on matters much beyond next year's budget;
- C. The inevitable service bias they bring to the council table; and
- D. The inherent defects of committee action—slowness, ponderosity, indecisiveness, and compromise.

Until some way is found to remedy these ills, my sincere hopes for the success of the Vessey program will remain considerably higher than my expectations.

Now, what action might this committee take regarding H.R. 3145?

It is clear that the Secretary is prepared to stand pat on the Joint Chiefs of Staff system as it is and would strongly resist any major changes such as those contained in Congressman Skelton's bill.

Even if Congress were to pass this latter bill, the cold reception it would receive in many parts of the Pentagon would nullify many of its basic purposes. For any such drastic change in military organization to succeed, it must have the support, cooperation and good will of the principal officials, legislative and executive, responsible for it.

If the committee shares my belief as to the present unacceptability of H.R. 2560, what should be done about H.R. 3145 and its pallid content?

It would be unfortunate, in my opinion, to pass it in its present form, if only because doing so would imply agreement with the Sec-

retary that all is well with the Joint Chiefs of Staff system. I sincerely hope that this is not the view of this committee.

A better course, I believe, would be to recommend passage of the bill with certain amendments to give it more substance. Since a major purpose of the bill is to increase the authority of the Chairman, let's give him something of real significance. I would recommend the following three amendments:

A. Change the language of H.R. 3145 bearing on the chain of command to read as follows:

The channel of command runs from the President to the Secretary and through the Chairman, Joint Chiefs of Staff, to the combatant commands. Orders to these commands from the President or the Secretary pass through the Chairman, Joint Chiefs of Staff, who is authorized to communicate as needed with the combatant commands to verify the execution of such orders and to assure the maintenance of the state of readiness required by the strategic tasks assigned the commands.

Such a change would eliminate the impression that the Chairman is merely a communications robot mechanically conveying military orders from the President or the Secretary, neither of whom has a military staff to assist in drafting such orders.

My second suggestion:

B. Add a new paragraph to the bill as follows:

The Chairman, JCS, in presiding over the Joint Chiefs of Staff, will be responsible from the timely conduct of business within that body, with authority to settle issues on which the members are divided. Any member may appeal the Chairman's decision to the Secretary of Defense.

This device of a so-called executive chairman was used quite successfully in some of the large standing committees in the Kennedy administration, where I think it did expedite business.

C. The third recommendation is a new paragraph, to make the Chairman, Joint Chiefs a regular member of the National Security Council. Although the Joint Chiefs of Staff, by law, have long been responsible for advising the NSC, they have never had a representative of their own at the meetings. The Chairman has normally attended, but that has been at the invitation of the Secretary of Defense.

In combination, these three changes, I believe, should clarify and strengthen the position of the Chairman and thereby facilitate the job of General Vessey in carrying out his in-house reform program.

In addition, I should think that Congress would want to check periodically on the progress of this program and seek evidence that adequate military advice is reaching the President and the Secretary during the policymaking stage, as well as during policy execution.

This could be accomplished to some degree by requiring at appropriate times detailed answers from the Secretary of Defense and the Joint Chiefs to the following questions regarding our military policy:

A. What are the threats to national security which are deemed so urgent as to require ready military force to cope with them?

B. To provide this military force, what are the strategic tasks for which our Armed Forces should be prepared?

C. How will the major items of the next military budget contribute to these tasks? This is a test of the essentiality for spending money.

D. What advice has the Joint Chiefs rendered in formulating the answers to the foregoing questions?

In closing, a final word about the Skelton bill, H.R. 2560. Although unhappily its time may not have come, it contains many features worthy of continuing study and further development.

One of the most important is the proper role of the Secretary of Defense in the chain of command in contrast to his role as Secretary of the Department of Defense. In the latter he is unquestionably—by law—"the principal assistant to the President in all matters relating to the Department of Defense." Let me remind you that in the channel of command is not a part of the Department of Defense where the Secretary generates armed forces for use in war.

The chain of command is the channel whereby the President as Commander in Chief issues orders to the combatant forces which are outside the Department of Defense. So, what is the Secretary in the chain of command, where he wears another hat?

Conceivably, he could be a number of things. For example, he could be "the principal assistant to the Commander in Chief in all matters relating to the chain of command," parallel language to that describing his role in the Department of Defense. Or he might be a Deputy to the Commander in Chief with such duties as the latter might assign. A third possibility is for him to be an independent command authority in the chain of command just below the President, responsible to him for the combatant commands and all they do in peace and war. There are undoubtedly other options.

Today, no one can give an authoritative answer to these uncertainties I raise. Until an official decision is reached as to what is expected of the Secretary in the chain of command, particularly in time of war, we shall not be able to decide many of the issues arising in the course of a thorough reorganization of the JCS. Anything this committee can do in the future to eliminate the present uncertainties regarding the role of the Secretary in the chain of command will be a major contribution to national security.

Thank you, Mr. Chairman.

Mr. NICHOLS. Thank you, General, for your testimony.

WRITTEN STATEMENT OF GEN. MAXWELL D. TAYLOR, USA (RET.)

Mr. Chairman and Members of the Committee: Thank you for the opportunity to testify again before this subcommittee on the subject of the Joint Chiefs of Staff organization and procedures. Both are matters of long time interest to me. I understand that you have had access to my testimony of July 14, 1982 on this subject so I will not refer directly to it. Since then, my views have changed little if at all and are quite similar to those expressed in Congressman Skelton's bill H.R. 2560, presently before you.

The most important event bearing on the Joint Chiefs of Staff issue since our last meeting has been the submission of the Department of Defense bill, H.R. 3145, which I shall comment on at some length. As you know, it contains two proposals, the first being to insert the Chairman, Joint Chiefs of Staff in the chain of command. Although the Secretary of Defense refers to it as "an important Defense initiative," I find it little more than a legislative legitimatizing of most of a Department of Defense Directive No. 5100.30 of December 2, 1971, which reads:

"National Command Authorities (NCA). The NCA consists only of the President and the Secretary of Defense or their duly deputized alternates or successors. The chain of command runs from the President to the Secretary of Defense and through the Joint Chiefs of Staff to the commanders of the unified and specified commands."

The language used in H.R. 3145 reads as follows:

"The chain of command runs from the President to the Secretary and through the Chairman, Joint Chiefs of Staff to the combatant commands. Orders to combatant

commands shall be issued by the President and the Secretary through the Chairman, Joint Chiefs of Staff."

Thus the only difference between the bill and the Department of Defense directive, now twelve years old, is the omission of the title, National Command Authorities, no reference to "duly deputized alternates or successors" and the replacement by the Chairman of the Joint Chiefs of Staff as a body in the channel of command. The only news in this initiative, as I see it, is that the Secretary is now willing to concentrate the power of this position in a single officer rather than in a less dangerous committee.

The power, of course, is not great. In fact the language of H.R. 3145 authorizes the Chairman to do little more than forward orders from the President and the Secretary to field commanders, pretty much a clerical function. If the intention is to elevate the Chairman notably above his colleagues, that result is not achieved.

The other proposal in H.R. 3145 is to moderate some of the restrictions on service on the Joint Staff. The changes proposed all seem reasonable but also of little importance.

In reading H.R. 3145 and related papers, I get a quite different impression of the attitudes of the Secretary and the Chairman toward the need for JCS reform. The Secretary sees little if any need for change, convinced as he says that the present system "has provided Presidents and Secretaries of Defense with competent military advice for more than 30 years, while maintaining effective civilian control of the military." The Chairman, General Vessey, in his testimony is inclined to concede the existence of past faults in the system but believes that he and his colleagues have agreed on a series of remedial actions which, if allowed to run their course, will correct the defects. They make an impressive list but unfortunately offer no remedy to old weaknesses such as: (1) the excessive workload of dual-hatted Chiefs; (2) their demonstrated inability to produce timely advice on matters much beyond the next year's budget; (3) the inevitable service bias they bring to the council table; and (4) the inherent defects of committee action—slowness, ponderosity, indecisiveness and compromise. Until some way is found to remedy these ills, my truly sincere hopes for the success of the Vessey program will remain considerably higher than my expectations.

What action might this committee take regarding H.R. 3145? It is clear that the Secretary of Defense is prepared to stand pat on the Joint Chiefs of Staff system as it is and would strongly resist any major changes such as those contained in H.R. 2560. Even if Congress were to pass this latter bill, the cold reception it would receive in many parts of the Pentagon would nullify many of its basic purposes. For any such drastic change in military organization to succeed, it must have the support, cooperation and good will of the principal officials, legislative and executive, responsible for it.

If the committee shares my doubt as to the present unacceptability of H.R. 2560, what should be done about H.R. 3145 and its pallid content? It would be unfortunate to pass it in its present form if only because doing so would imply agreement with the Secretary that all is well with the Joint Chiefs of Staff system. I hope that is not the view of this committee.

A better course, I believe, would be to recommend passage of the bill with certain amendments to give it more substance. Since a major purpose of the bill is to increase the authority of the Chairman, Joint Chiefs of Staff, let us give him something of real significance. I would recommend the following:

a. Change the language of H.R. 3145 bearing on the chain of command to read as follows:

"The channel of command runs from the President to the Secretary and through the Chairman, Joint Chiefs of Staff, to the combatant commands. Orders to these commands from the President or the Secretary pass through the Chairman, Joint Chiefs of Staff, who is authorized to communicate as needed with the combatant commands to verify the execution of such orders and to assure the maintenance of the state of readiness required by the strategic tasks assigned the commands."

Such a change would eliminate the impression that the Chairman is merely a communications robot mechanically conveying military orders from the President or Secretary, neither of whom has a military staff to assist in drafting such orders.

b. Add a new paragraph to the bill as follows:
 "The Chairman, Joint Chiefs of Staff, in presiding over the Joint Chiefs of Staff, will be responsible for the timely conduct of business within that body, with authority to settle issues on which the members are divided. Any member may appeal the Chairman's decision to the Secretary of Defense."

In the Kennedy Administration, this device of an "executive chairman" was used with considerable success in expediting action in several senior committees.

c. Add a new paragraph to make the Chairman, Joint Chiefs of Staff, a regular member of the National Security Council. Although the Joint Chiefs of Staff have long been responsible for advising the NSC, they have never had a representative of their own at the meetings. The Chairman has normally attended at the invitation of the Secretary of Defense.

In combination, these three changes should clarify and strengthen the position of the Chairman and thereby facilitate the job of General Vessey in carrying out his in-house reform program. In addition, I should think Congress would want to check periodically on the progress of this program and seek evidence that adequate military advice is reaching the President and the Secretary of Defense in the policy-making stage as well as during policy execution. This could be accomplished to some degree by requiring at appropriate times detailed answers from the Secretary of Defense and the Joint Chiefs of Staff to the following questions regarding military policy:

- a. What are the threats to national security which are deemed so urgent as to require ready military force to cope with them?
- b. To provide this military force, what are the strategic tasks for which our Armed Forces should be prepared?
- c. How will the major items of the next military budget contribute to these tasks?
- d. What advice has the Joint Chiefs of Staff rendered in formulating the foregoing answers?

A final word about the Skelton bill, H.R. 2560. Although unhappily its time may not have come, it contains many features worthy of continuing study and further development. One of the most important is the role of the Secretary of Defense in the chain of command in contrast to his role as Secretary of the Department of Defense. In the latter, he is unquestionably "the principal assistant to the President in all matters relating to the Department of Defense." But what is he in the chain of command where he wears another hat? Conceivably, he could be "the principal assistant to the Commander in Chief in all matters relating to the chain of command." Or he might be a Deputy to the Commander in Chief with such duties as the latter might assign. A third possibility is for him to be an independent command authority in the chain just below the President, responsible to him for the combatant commands and all that they do.

Today, no one can give an authoritative answer to these questions. Until an official decision is reached as to what is expected of the Secretary of Defense in the chain of command, particularly in time of war, we are not ready to decide many of the issues involved in a thorough reorganization of the JCS. Anything this committee can do to eliminate the present uncertainties regarding the Secretary will be a major contribution to national security.

Mr. NICHOLS. It appears to me that we may be moving a little closer toward some sort of consensus on the Joint Chief of Staff reform.

Last year, for example, the administration, in refusing to submit a proposal, generally supported the status quo. This year, we have an administration proposal. Though it is very modest, it seems to move in the direction that has been urged by critics of the present JCS organization.

You, General, whose judgment we certainly respect, on the other hand advocated rather far-reaching reforms last year.

Today, however, from your statement, it appears to me that you may have acknowledged that the original proposal probably was not politically feasible, whatever its merits may have been.

As a consequence, you seem to have focused your testimony on strengthening the present Joint Chiefs of Staff in the recommendations you brought to us; and, as a result, it seems to me that the gulf between the poles of differing opinion may have been somewhat narrowed.

The central issue, as I see it, from your testimony, and from testimony of others, is the question: What should be the role of the Chairman of the Joint Chiefs of Staff?

And this morning, I would like to explore that just a little bit with you if I might, sir.

In your statement last year, I believe you said that the most serious flaw, as you saw it, was the inadequacy of the Joint Chiefs as military advisers to the President and to the Secretary of Defense.

You further indicated in your statement that they had rarely, if ever, performed an advisory role of any importance at the level of national policy; and, as a result, you advocated at that time that the Chief of Staff, who takes the place of the JCS Chairman, become the principal military adviser.

Let me ask you, sir, are the proposals which you bring to us today, which would strengthen the Chairman, are they, in your judgment, tantamount to making the Chairman the principal military adviser?

General TAYLOR. Is that your question?

Mr. NICHOLS. Yes, sir.

General TAYLOR. I want to first explain that my views of last year remain essentially unchanged. My testimony today did not pick up where I left off last year. What I wrote last year, I still believe today but from the start I knew I was writing my druthers, rather than a proposal likely to be approved. The kind of chain I would favor, similar to that in Mr. Skelton's bill, I am all for; but I realize the great difficulty of getting it now when you have a Secretary of Defense who says everything is OK.

The pragmatic course today is to undertake what may be feasible under present conditions. So I shall give you my suggestions.

As to how to get better military advice with minimum change, you would get more out the Joint Chiefs if indeed the Chairman could break off debate, stop trying to get a consensus, and say, "Gentleman, I am going to decide this issue this way, and that goes, unless you protest my decision, to the Secretary of Defense."

I might say, sir, when I accepted the job as Chairman, from Mr. Robert McNamara, I had a good chat with him. We were old friends by that time. I said, "Bob, I want you to understand. I am not going to use the black snake whip to get a consensus out of the Joint Chiefs. We are going to try to get a consensus, but if there are differing opinions, which are solid, in the sense that they are legitimate and require consideration, I am going to handle the situation like the Supreme Court. We are going to send you a brief of the arguments, and then I am going to add my brief to it."

We worked on that basis for 2 years, and I would say that we never had any serious delay in that time. Since that time, the idea of having to get a consensus seems to have come back, and that adds to much of the weakness of the Joint Chiefs as a source of timely advice. They can offer advice if you wait perhaps a year, but a President or a Secretary wants advice faster than that.

The other point which I felt must be settled is the one I would like to see this committee give priority attention—the role of the Secretary of Defense. You really can't say what role the Chairman should fill until you know what the Secretary's should be. The latter in its entirety has never been defined.

It is not generally recognized that the Secretary of Defense is two-hatted, just the way the Joint Chiefs are. First, he is the head of a great department, one of the biggest and most—it spends more

money than almost any other department. His role there is clear. He generates and maintains Armed Forces to meet the needs of national security. But in the chain of command he has an undefined responsibility for determining how all these forces that he has generated would be used in time of war. If this committee can solve that question, I can take over and write you a program of reform for the Joint Chiefs.

Mr. NICHOLS. All right. One of your suggestions is very interesting to me, in that it would certainly seem to strengthen the Chairman of the Joint Chiefs and here is a situation that I pose to you.

You have a meeting of the Joint Chiefs of Staff, and you are five men at the table, and you have a very difficult issue to make a decision on, to advise the Secretary of Defense and to advise the President.

OK, you find yourselves, as we do in the Congress, and we will today in the Congress, divided; and two people believe this way, and three people on the other side believe differently. And, as we do in the Congress sometime, we water things down, and we dilute, and we come to a conclusion. You seem to think in the military that it is not good policy to dilute and water down, and you leave to the Chairman of that Joint Chiefs of Staff the ultimate authority of the Supreme Court, to use your example, to make that decision.

If two people are of this opinion, and three of that, we don't do it in the democratic principle like we do in the House, in which the majority necessarily rules. You would delegate to the Chairman of the Joint Chiefs of Staff the authority to make the ultimate decision and to settle that issue.

Am I generally correct in that?

General TAYLOR. That is correct.

Bear in mind that under my recommendation any dissatisfied Chief could appeal to the Secretary of Defense. While I favor his device, as long as we have the Joint Chiefs, my preference is to do away with the JCS committee entirely.

I recognize that committees have advantages as well as weaknesses. They have the advantage of representing differing views that ought to be considered. They have the weaknesses of delay, compromise, and so on. And a military command cannot function on that basis operationally. A poor decision made in time is usually better than a better decision too late when you command troops in time of war.

When we get to the interface between civilian leadership and military leadership, at the level of the National Command Authority, clearly the military must adjust to the requirements of the political leadership; but they must be sympathetic to military needs and allow us to mitigate the disadvantages of a committee if indeed we are required to keep the JCS system.

I really believe my suggestions for strengthening the hand of the Chairman are sound and should facilitate business.

Mr. NICHOLS. Mr. Ray.

Mr. RAY. General Taylor, thank you so much for coming today. I have followed your career through the years, and I have admired it very greatly. I am from the hometown of Gen. Courtney Hodges. I have just a couple of questions.

In your statement I noted that your views on restructuring are quite similar to those which are expressed in Congressman Skelton's bill, H.R. 2560.

That bill contains several provisions designed to strengthen the joint military staff which are not contained in the administration proposal. Most important is that the Chief of Staff would control the joint military staff. As you know the JCS Chairman does not have a staff of his own. My question really is, with these increased responsibilities, should the Chairman be given a separate staff of his own?

General TAYLOR. God protect us from more staff. We should have one master military staff at the top of the military pyramid. They can give military advice to the President and to the Secretary of Defense, and the necessary staff support to the Chief of Staff.

Let's keep it as few and as simple as we can, I would say.

Mr. RAY. Now, General Jones had proposed that the Chairman be given greater control over the Joint Staff. What would be your opinion on that?

General TAYLOR. I don't think it makes any real difference.

Mr. RAY. I see.

General TAYLOR. No difference. I am sorry to say that some of General Jones' points should have been settled over at the Pentagon and not bother you here.

Mr. RAY. Last year, you recommended that two Deputy Chiefs of Staff be created to assist the proposed Chief of Staff which you recommended.

You also stated and mentioned that, despite frequent disclaimers that have been made, service chiefs, but not the Chairman, have been overloaded by the combination of their service and joint responsibility.

As you know, the JCS has initiated a system whereby each service chief serves as the Deputy JCS Chairman for 3 months on a rotating basis. Since they are already overloaded, what do you think of this system?

General TAYLOR. I realize that over the years the testimony of the Chiefs, generally, has been that they are not overloaded.

My answer is that, if they are not overloaded, they are not doing their two jobs.

It is simply impossible to do all the things you should do as a double-hatted chief planning for the future, and meanwhile responsible for the readiness today of your service. So, I—incidentally, many of my thoughts, I am advancing, I would not have derived purely based on my own experience. But I read virtually all the testimony of every witness who appeared before your committee last year; and was very much impressed by a civilian that I knew very well, who when they were in office were very polite about this. They came out with cold, hard facts, and weren't getting any advice in time from their Joint Chiefs. So that my present extremism, if you want to call it that, is based on the fact that most of the qualified witnesses, with no ax to grind, say that the JCS system has failed.

I missed something in your question. What was it?

Mr. RAY. I think you covered it to satisfy me, but would it be your opinion that the Chairman ought to have a full-time deputy?

General TAYLOR. No. The last thing in the world. Why have another four-star man sitting around the Pentagon?

Mr. NICHOLS. The subcommittee is going to recess just long enough to go vote, and Mr. Crane will be next, when we come back, sir.

[Recess.]

Mr. NICHOLS. The subcommittee will come to order.

General Taylor, last year you recommended, and Congressman Skelton included in his bill, a National Military Council to provide the President and the Secretary of Defense advice in the fields of future and national policy and strategy.

As you recall, the Investigations Subcommittee last year accepted your concept, and I believe maybe Mr. Stratton moved that that Board be created.

Following the creation of that Board in our committee bill last year, however, you were somewhat critical of the formulation of the Senior Strategy Board that we created.

Let me ask you. Do you still believe such a body is needed?

And, if so, do you favor the formulation in Representative Skelton's bill? Would you comment generally on what you found wrong with the manner in which we created it last year?

General TAYLOR. I do believe very much in the desirability of such a small group of elder statesmen with a background primarily in military strategy. I would not bar a particularly well-qualified civilian like John McCloy, for example, to join with four or five carefully selected three- or four-star generals or admirals of the thoughtful type. Because you have four stars doesn't mean that you have thought very much or fought very hard. You can do both; it would be nice if these men were equally good in both.

I would be against a large committee, and furthermore I would never prescribe exactly how many. I think I said about five. But all should be chosen on quality; none just to fill a vacancy.

If, indeed, they are willing to give up their major activity to initiate recommendations as well as respond to requests for study from the President, the Secretary, or the Chief of Staff, I have already said the concept is good. Finding these people is hard, but it could be done.

At first it could be tried without legislation, using a volunteer group of men without official status. If I were the Secretary of Defense I think I would vote to do that, and see to what extent able men could be kept busy at worthy tasks and whether the net effect would be to have truly detached, impartial advice without service bias on subjects that don't require speed.

This is where you are thinking a decade ahead, doing the kind of thing that many of them would like to do; but as I indicated before, they can't possibly do.

Mr. NICHOLS. Mr. Ray, do you have any more questions?

Mr. RAY. Yes, sir.

Representative Skelton's bill, in addition to placing the staff under one Chief of Staff, provides a charter for the Joint Staff, and includes measures designed to protect the promotions and other career aspects of Joint Staff officers.

The overall effect of Representative Skelton's bill would make the Joint Staff less dependent on service influence. The administration bill contains no similar provision.

I just wondered if we could have your opinion on that.

General TAYLOR. The quality of the Joint Staff, of course, has been controversial for years. I think that some misunderstanding exists on the part of some of the serious critics of this situation.

Some seem to think that the Joint Staff suggests that you have to have nothing but young Napoleons in every position. That is far from the case. Like any other staff, the Joint Staff has many jobs which are very minor. The quality of the Joint Staff will always depend largely on the director, who has a very important job, his assistants, and the heads of the various staff sections. If those positions are really like that, the whole staff is going to do well. So, to set up guidelines requiring that the services send only the very best of their men, that is not the way to do it. The services also need their best men in certain positions.

I also have the feeling that some people think that you have to have been a Joint Staff officer to be any good. If, indeed, the services are doing their task in educating their officers, and I have no reason to believe they are not, an officer gets training for general staff work in schools like the Army's at Fort Leavenworth. You used to have 2 years; now, they only have 1. They are smarter now than in my generation.

But the preparation for service on any big staff is a preparation for service on a Joint Staff. The organization, procedures, and methodology of all senior staffs are about the same. Service on one does not require continuous service on a general staff as was the case in the German Army where an officer would serve on the general staff from the time that he was a lieutenant until a field marshal.

Mr. NICHOLS. Mr. Hopkins.

Mr. HOPKINS. Thank you, Mr. Chairman.

General, first let me say that I have been one of your fans over the years, and this gives me the opportunity to say so publicly. I admire very much the contributions you have made to this country.

The question that I would like to ask you has to do with the 400-man statutory limit on the Joint Staff as proposed by the administration which wants to remove that 400-man limit. It is clear to me that the Joint Chiefs of Staff has a very important job to do, and I don't think that we ought to limit that ability by the lack of proper staff. We in Washington don't seem to be very concerned about cutting back on staff members either in the House or in the Senate. I don't recall in the few years that I have been here any reduction at all in the workload or reduction in the numbers of staff members, or salaries, or benefits. And yet we seem to limit one of the more important areas that we have, not only for this country, but for the world.

How do you feel about removing the statutory limit of 400 members on the staff of the Joint Chiefs? Do you agree with the administration that that statutory limit ought to be removed? Do you think 400 is sufficient? How do you feel about that?

General TAYLOR. I couldn't pick an ideal number; 400 sounds reasonable to me.

Bear in mind, that prevents a Chief of Staff from getting support from his own service staff. That perhaps is not ideal, because you

like to feel that everything the Chief has got comes from a joint source, but it does not in practice, and it never will.

No, I was never worried, really, about that figure.

Mr. HOPKINS. Well, it just seems to me, General, that with the responsibilities that organization has, the Congress ought not to limit them to 400.

As I told the Secretary and the Chairman of the Joint Chiefs of Staff a few weeks ago, in my view if they need a few more members on their staff to do the job of protecting this country, far be it from me to criticize them from doing that. There are many, many other areas in the Department of Defense, I think we could look at very closely as far as a money-saving device, but not on the think tank of the defense of this country. I think it would be very shallow on our part.

As you say, 400 may be enough. I don't know if it is or not; but I certainly don't want to limit, in my opinion, people who know more about it than I do. If they feel they need another 100, I told them to go get it as far as I am concerned. I just want to get the job done.

General TAYLOR. Well, I thank you for your consideration. I am sure the Joint Chiefs all appreciated that in the Pentagon. Again, it is quite possible that you can all control so many things here annually, if you ask of our account—how many officers have you got? That would make them realize the numbers are considered important by Congress.

But, again, I don't think it makes much difference.

Mr. HOPKINS. Thank you very much, General Taylor.

Mr. NICHOLS. Mr. Kasich.

Mr. KASICH. No questions, Mr. Chairman.

Mr. NICHOLS. General, let me ask you one question with reference to the type of officers that go to the Joint Staff.

There seems to be some difference in philosophy between the services as to, I guess, the quality of the officer that we send to that Joint Staff. In my judgment, we ought to send the very best officers that we have, and yet last year, I believe we had testimony from one branch of service indicating that, because this was a smaller branch of service, they didn't have a great preponderance of very best officers and that they sent some of their very best, and then they sent some, I suppose we would term it, mediocre officers.

Would you comment on that? I guess specifically what I am asking you is should a JCS Chairman be given the responsibility to select from the most outstanding service officers the people he has on his staff? I believe that provision may be included in Mr. Skelton's bill.

General TAYLOR. I might say that when I was Chief of Staff of the Army, I felt strongly about the need for excellent officers in the key positions, and not every place is a key position.

And in the case of the Army, for the key positions, when we had to nominate, I would ask among our best officers who had served on the Army staff for about a year. With this experience he should be well qualified for the Joint Staff level or above, operating as I indicated. That staff work is really, in terms of procedural matters, essentially the same. I forbade the Army staff ever to deal with him. I didn't want the word to get around—I didn't want him to

have the charge of being just an emissary from the Army. I did it with self-interest in mind, because I felt that an Army officer doing well up there was going to affect the decision that someday could affect the Army and the other services. It was always made by good men, and the Army is prepared to live with those decisions.

As you say, it depends on the service and the individual and the Chairman—not the Chairman, but the Chief of Staff of the service.

I would say the Chairman should have the authority to fire anybody without cause, and I would say if he is not compatible to his environment, if he is not doing a good job, send him back. That has never been done with that informal procedure. If you fired Smith because Smith just might be a round peg in a square hole, he might still have a very fine career.

I never thought to give the Chairman the right to select—in other words, to ask the services to send a list of the people they proposed to assign by their record. It is all right to do that, but he doesn't know these men outside of his own service. He can't judge the importance of the serious task they left, and it is just unfair to the services and to the Chairman to give them responsibility for which he does not have the background. I wouldn't want it as Chairman. I want it understood by my service Chiefs of Staff that they would be responsible for the quality of their own people and be able to look the Chairman and the Secretary in the eye, and say, "I can vouch for these men."

Mr. NICHOLS. I appreciate your testimony very much, because the thrust of what you have told us this morning is you think we ought to strengthen the Chairman of Joint Chiefs, give him a little more background, and give him a little more authority to run the show up there.

Yet, you seem to have some hesitation in giving him veto power necessarily on who is coming to his Staff. The point is well made that he may never come in contact with Commander Smith or Colonel Jones, and he wouldn't know these people. But you have testified that after they get on board, after they have served some months, and if their services are not such as he thinks he should have, then he ought to have authority to dismiss them.

General TAYLOR. Right.

Mr. NICHOLS. The reason I ask the question is that there are some officers who feel like an assignment to the Joint Chiefs of Staff is sort of the end of the line, that this precludes any further promotions they might have.

There are others who feel like it is a ticket that needs to be punched, in the vernacular of the military, if they are going on up the line.

Are there any other questions from members?

General TAYLOR. May I?

Mr. NICHOLS. Yes, sir.

General TAYLOR. One device turned out to be very good. It was President Eisenhower's. He was very much impressed after World War II with the need for giving promising officers Joint Staff experience. Joint didn't mean just the Joint Staff, but a Joint Staff like the one in CINCPAC or in Europe, NATO, something of that sort. To this end he required that for every nominee for a general office-

position, a statement be made to the effect that this man had had Joint Staff experience of some sort; and if not, why not?

Well, that had a major effect for the senior level. You could conceivably have used the same approach farther down, except as the officer corps are so large, in the Pentagon, a Chief of Staff—it is rare that he knows anybody below the rank of colonel, for example.

But, nonetheless, you have that reminder, that if this officer is good enough to be promoted to colonel, he should have had some joint assignment—a much larger field than just the Joint Staff, and that might be desirable.

Mr. NICHOLS. The Chair will recognize Mr. Skelton at this time.

Mr. SKELTON. Mr. Chairman, thank you so much.

I again want to express my appreciation to the General for sharing his thoughts, not just today, but with me on other occasions. You have been not only very helpful legislatively, but quite inspirational to me, sir.

Everyone has asked all the questions to be asked except one, which I would like to put to you.

General, as you know, the bill that I propose does away with the two jobs—that is the dual hatting of any one member of the Joint Chiefs. It abolishes the Joint Chiefs in essence and keeps the CNO as the CNO, and keeps the Army Chief of Staff as the head of the Army, et cetera. It takes that second job away.

And it seems to me pretty fundamental that they are either doing two jobs or they are not, and you can't compromise on that issue very well. It is kind of like, either someone is, or is not. There is no such thing as being a little bit pregnant. You can't compromise this particular issue, so my point was strengthened, General, by some of the testimony last week. One of the gentlemen, members of the Joint Chiefs, indicated that they had two hats, but he said that he didn't have trouble turning his hat around and doing two jobs.

Another one indicated that full time must be spent on strategy during times of war. Another gentleman indicated that a good part of the time the Vice Chief of Staff runs that service.

So, it indicates that this is still a very basic problem that we must face. Would you elaborate and give us your thoughts on the wearing of the two hats?

What type of serious problems does this pose unless we face that issue now?

General TAYLOR. I believe in the change of 1958 to the National Security Act—the point was made, at the request of President Eisenhower, that the Chiefs of Staff give primary attention to their joint work, and leave to the Vice Chief as the man really running the show.

Well, I was in that position as the Chief of Staff, and it sounds good. I had a very fine Vice Chief, and three very good Deputies—a very good Deputy, every time. And I would give him any job to do, and I would look at him. But do you think that would satisfy people if I sent one of those men up to Congress? Not for a minute. They want the Chief of Staff. He has the responsibility by law, and you can't take it away from him.

So, any Chief I have over there would first be sure those tasks for which he was legally responsible were done to the best of his

ability, and then apply his efforts elsewhere, especially when you have a domineering Chairman of the Joint Chiefs as I had at that time. I could take my job away from him.

Mr. SKELTON. Thank you so much, General. We appreciate your being with us today.

Mr. NICHOLS. Mr. Lally.

Mr. LALLY. Thank you, Mr. Chairman.

I have just one question for General Taylor.

General, last year, so many of our witnesses stated that in their view the weakness with the Joint Chiefs of Staff was not in the organization itself but in the personalities that composed the organization.

Now, you probably had more opportunity to work with the organization and to view it over the years.

What is your view on that point—that it is a personality rather than an organizational problem?

General TAYLOR. Well, I have argued for years for the need for organizational change, but I hope I have always made clear that good organization and mediocre people will get no place. Good organization should be designed to make it easier for good men to do their tasks, but in no way could it really replace the quality of the individual.

Mr. LALLY. Thank you, General.

Thank you, Mr. Chairman.

Mr. NICHOLS. Mr. Barrett.

Mr. BARRETT. Thank you.

General Taylor, in the last part of your statement, you were talking about what position the Secretary of Defense should have in the chain of command, and you give three alternatives.

Conceivably, he could be the principal assistant of the Commander in Chief in all matters relating to the chain of command, or he might be a deputy to the Commander in Chief with such duties as the latter might assign.

A third possibility is for him to be an independent command authority in the chain, just below the President, responsible to him for the combatant commands in all that they do.

Could you give us your thoughts on which of those three alternatives that you lay out would be the preferable alternative?

General TAYLOR. I really—I take it the negative—which is the worst one? No. 3. It would probably be unconstitutional. It has been suggested that something of that sort will take place.

I would think that—it depends, of course, on what the President expects from his Secretary and his Chairman, and until we know that and get it into the law we can't be sure how that relationship should then be related to the Joint Chiefs.

The President may want the Secretary of Defense at his elbow, an able civilian with broad experience in the military field, to help him as an adviser. He should also want a military man to give him military advice at the same time. But this civilian could well be a deputy commander in chief doing those things that the President gives to him. I raise this point because I would hate to see the law so precise that the President must assign certain things to the Secretary, if he is going to be an assistant or a deputy.

I say this because in time of peace, as compared to war where conditions may be going to change so drastically, to have a Secretary doing most of the President's military work in the chain of command as a deputy goes very well, and the poor President wants to delegate as much, more like a normal tasking to able assistants, and clear his own deck.

But when war comes, the President--his major task is the war. Whether he is going to want another civilian between him and a military man whom the Nation holds as the spokesman for the Armed Forces, whether he would want him in between or not, I wouldn't think he would.

You may recall in World War II President Roosevelt insisted on doing business directly with George Marshall and with Admiral King. The Secretaries of War and Navy were withdrawn from the chain of command.

May I say, Mr. Chairman. Thank you very much--and gentlemen, I enjoyed it myself.

Mr. NICHOLS. Thank you, sir.

The subcommittee will stand adjourned.

[Whereupon, at 11:56 a.m., the subcommittee is adjourned.]

**HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
INVESTIGATIONS SUBCOMMITTEE,
Washington, D.C., Wednesday, June 29, 1983.**

The subcommittee met, pursuant to notice, at 10 a.m., in room 2212, Rayburn House Office Building, Hon. Bill Nichols (chairman of the subcommittee) presiding.

Mr. NICHOLS. The subcommittee will come to order.

This morning as the Investigations Subcommittee resumes its hearings on Joint Chiefs of Staff Organization, we are privileged to have another distinguished military officer as our witness. Adm. Thomas H. Moorer retired as the Nation's senior ranking military officer, the Chairman of the Joint Chiefs of Staff. That position capped a brilliant naval career that began at the Naval Academy in 1929, included early assignments as a gunnery and an engineering officer during the 1930's, was distinguished by acts of bravery and heroism as a Navy pilot in World War II, and was finally rewarded with the Navy's top position, Chief of Naval Operations in 1967.

I might add on a personal note that I am extremely proud to report that Admiral Moorer is a constituent of mine, coming from my congressional district. He has an illustrious family.

Admiral, we are indeed honored to have you with us this morning. We are doubly appreciative because you were a witness last year. We have a copy of your statement from that appearance before us. Nevertheless, you have come back for a second time to testify on the subject.

So on behalf of the subcommittee, I want to express our thanks to you, sir. You are a distinguished American. We value your testimony very much. You may proceed at this point, sir.

**STATEMENT OF ADM. THOMAS H. MOORER, U.S. NAVY (RET.),
FORMER CHAIRMAN OF THE JOINT CHIEFS OF STAFF**

Admiral MOORER. Thank you, Mr. Chairman.

As you said, last year I submitted a rather lengthy statement. Consequently I do not have a statement today. But if the Chair pleases, I will simply summarize some of my points and then be prepared to answer questions.

I would also like to say that I am very pleased to have a gentleman like you as chairman of this committee conducting this investigation because there are so many people that recommend so many changes in the military that have never heard gunfire.

On the other hand, you are a man that has been there. Consequently, I know that you will understand the overall problems and structures of a command establishment.

There have been some 20 studies, I believe, of the Joint Chiefs of Staff since it was set up by the National Security Act of 1947.

These studies seem to come up with the same suggestions or recommendations that go something like this.

First, we should have an organization that will give a unified view to the National Command Authorities; namely, the President and the Secretary of Defense. Well, in the first place, I would point out that on the Joint Chiefs of Staff you have represented some 180 years of military service, which was performed during several wars and in environments which were somewhat different in terms of whether you are in the air or on the sea or on the land.

And, consequently, it is important, in my view, that the President of the United States receive not just a single recommendation but rather options as to what would be the best course of action from which we would choose.

Next, it has always been felt by many that the members of the Joint Chiefs of Staff should be separated from the services, on the grounds that they do not have enough time to perform both assignments.

My position is that if you do not, cannot find enough time to perform your duties as chief of a service and as a member of the Joint Chiefs of Staff, you are not qualified for the job, because I think it is mandatory that those who plan an operation or plan strategy are burdened with the responsibility of executing it. And if you separate these two groups of officers, very shortly the members—those that are chiefs of services—will be the ones that have all the information as to the state of readiness, the state of logistics and the capabilities of the units at the moment.

And particularly in a crisis, where we are called on by the Chief Executive to deploy forces overseas, it is certainly necessary to understand the state of readiness of these forces. I do not believe, that a separation of these assignments will provide such a connection.

Now, it has been said by General Jones, I believe and others, that the Chairman of the Joint Chiefs of Staff does not have enough authority. In my opinion, and based on my experience—which I will say was unique because I served at a time when this country was in a state of near anarchy. We had people pouring blood on the Pentagon steps, lying down in front of automobiles on Constitution Avenue, throwing rocks through the FBI Building and Southeast Washington was plundered and ablaze. And the public was very disenchanted with the Vietnam War and consequently there were many political turmoils that were created as a result of these extreme difficulties.

Consequently, I would say, though, that never did I find that I did not have enough authority. Not once did I ever give an order to people in uniform or did I carry out instructions of the Secretary of Defense and the President without getting the very fullest cooperation of everyone in uniform, including not only the members of the Joint Chiefs of Staff but the unified commanders and those all down the line.

So I contend that the Chairman of the Joint Chiefs of Staff, with respect to those in uniform, has all the authority he is willing to take.

Now, the Chairman of the Joint Chiefs of Staff is faced with two kinds of problems. One is a problem which, of course, is not time limited in the sense that you are working up a strategic plan or

logistics plan or reviewing and commenting on the programs of the services, that is, the personnel programs, the training programs and the equipment programs. And the other is a situation which occurs in wartime, which is very time sensitive.

When I was Chairman of the Joint Chiefs of Staff I had in my home all of the communications equipment in terms of a secure telephone and a secure teletype where if a message came into the Pentagon, I received it almost as quickly. Consequently, on many occasions responding to recommendations and requests from the unified commanders overseas, both General Goodpasture, for instance, in Europe, and Admiral McCain in the Pacific, I would take action and inform the other chiefs later. Because of the time differences it would be high noon where they were, and it would be midnight where I was.

And in every case where it was time limited, and I reported later to the members of the Joint Chiefs of Staff, not once did they ever in any sense object to what action I had taken.

So, as I say, I do not agree in any sense that the Chairman of the Joint Chiefs of Staff does not have enough authority over the military forces.

The next comment that was made has to do with the quality of personnel that are assigned to the Joint Staff. Well, there again, I would point out that—I agree that the Joint Staff should have a very high quality of people. But at the same time, when I was Chairman of the Joint Chiefs of Staff, if I was not satisfied with an individual, I went to the chief of the service concerned and I got a replacement. Or if he happened to be a new assignment, I just refused to take him. I said "Get someone else." The Chairman of the Joint Chiefs of Staff, insofar as the quality of the people on the Joint Staff are concerned, has the alternatives of refusing to take people assigned to the Joint Staff, of discussing the matter with the chief of service and getting a correction—I never failed to do that—and finally he can write a fitness report on an officer who does not perform properly and thereby affect his promotion, up or down.

In that connection, I would say that I think it is very unwise to penetrate, you might say, the service promotion system. Many people don't realize that the military organization is an institution, and the members of the military organization, the career members, believe and respect the promotion system to be absolutely of the highest integrity.

I will tell you a little experience I had one time in this connection with President Lyndon Johnson. He called me one day, and he says "I want you to promote my cook," who was a Filipino. Of course, we observe very carefully the personnel in the White House. I said—

Mr. President, I am not going to promote him because he did not pass the exam. We have 6 vacancies and 30 that did pass the exam. And if I was to promote him, despite the fact he failed the exam, then the whole integrity of the promotion system would collapse.

I said—

You can promote him if you want to because you are the President of the United States, but I cannot do it.

He said he did not want to do it because he was afraid of getting in the paper. I guess. I said—

I will tell you what I will do. You send him over here. I will send him to school for a year and if he passes the examination, he will have a good chance for promotion.

The point is you cannot have any side effects on promotion of officers by permitting the Chairman of the Joint Chiefs of Staff to specifically promote individuals that are in one or another service.

Now, the Air Force tried that during the heyday of General LeMay. He would promote officers and the Chief of Staff of the Air Force, or the Selection Board of the Air Force, would pass them over and vice versa. The Chief of Staff of the Air Force would select for promotion officers who were assigned to the Strategic Air Command and General LeMay didn't like that. So he wouldn't give them the position. So you cannot have two promotion systems. It just simply creates turmoil, and it is not necessary, and it won't work in a military organization.

So by and large, after having studied the report of last year that Mr. Barrett was kind enough to provide to me, and thinking the matter over, I then took a very good look at the two bills that are before the Congress today, one submitted by the Secretary of Defense, and the other submitted by Congressman Skelton. I would like to comment on each of those.

As you know, the National Command Authorities are the President of the United States and the Secretary of Defense. For some time, though, since the Chairman of the Joint Chiefs of Staff prepares all of the directives, relays the messages to the combat forces, he is in effect, as a matter of practice, a member of the Command Authority, and he should be. What this bill does from the Secretary of Defense is to formalize what has been a practice for some time. Consequently, I strongly support that.

Now, my practice, when I was Chairman of the Joint Chiefs of Staff, after having attended a National Security Council meeting or having had a discussion with the Secretary of Defense, when a decision was made to take certain actions, I would prepare the directive. But not once—and I can document this—did I ever send a directive to the uniformed forces to conduct a combat activity that I did not first get initiated by the Secretary of Defense. So there was no question of the fact that the Secretary of Defense was never bypassed. He was always aware of all combat action. I think that worked very well.

Now, I have studied General Vessey's statement, both the one he made recently and the one he made last year. And I support in toto everything that he has said. I think that General Vessey is a very mature officer with great experience and great intelligence and balance, and I would think that his statement provides the best guidance I have seen for reorganization of the Joint Chiefs of Staff. Therefore, I fully support H.R. 3145.

Now I would like to turn my attention to H.R. 2560.

Mr. NICHOLS. Admiral, we have a vote on. We will recess and return in about 10 minutes.

[Recess.]

Mr. NICHOLS. The subcommittee will resume its hearing.

Admiral, you may proceed, sir.

Admiral MOORER. Yes, Mr. Chairman

I would like to now briefly discuss H.R. 2560. I must say with great respect to Congressman Skelton, I think that this proposal is filled with booby traps.

In the first place, we begin by abolishing the Joint Chiefs of Staff and creating a Chief of Staff of the Command Authorities. This Chief of Staff would be assigned in effect the task which the Chairman of the Joint Chiefs of Staff already conducts. But there it departs.

First, the proposed bill states that the Chief of Staff of the Military Authorities would have a staff which would support the Chief of Staff only. I call your attention to the fact that during the time that the Chief of Staff was created in the National Security Act of 1947, this particular committee, the Armed Services Committee, in their report said such an arrangement was repugnant to the Congress, and it was disapproved.

But what really concerns me is, first, as you know, I and other people in uniform are continually questioned as to why we have so many senior officers and why the ratio of senior officers to enlisted men has changed so radically since World War II. And here we are about to, as I read it, create another six to seven four-star officers, the seventh one depending on who that person is in that council.

Very recently the Secretary of Defense, Harold Brown, acting in response to the President's directive, reduced the number of four-star officers. Now, first, we would have two officers as deputies to the Chief of Staff of the National Command Authorities, and then we would set up a council.

Now, I would recommend that if the committee is going to give this proposal serious consideration, you give even more serious consideration to this concept of a military council. In the first place, I do not believe based on my experience, that you can sit over here in a group who do not have day-to-day contact with what is going on and have them really be in a position to give proper advice on, as it says, national security, national and military strategy, and the responsibilities of the National Command Authorities.

It says the council may act individually in providing advice and assessments in the same manner as the council may act as a body.

Well, I think you are going to have under those circumstances the President getting all kinds of under-the-table advice which can only lead to confusion. I must say that under this proposal which would set up this council, I, personally, would not accept the assignment as Chairman of the Joint Chiefs of Staff or Chief of Staff of the Military Command Authorities because I think that you would be completely sandbagged on many important occasions.

In addition, the bill states the President may appoint one additional member from among persons. I would like to know who that person is going to be. The Congress likes to use that word, and in the Freedom of Information Act it says "any person" can demand information from the U.S. Government, and that has led to the ridiculous situation where the CIA now has a request from Khomeini to give him all the information the CIA has on the Shah. And so who is this person going to be?

That is what I think should be clearly understood. Will he be then assigned chairman of the council after he gets aboard? And if

he is chairman of the council, then he attends the National Security Council meetings. And that will mean that you won't have a single man in uniform present at the National Security Council meeting.

So I think that this whole concept of having a kind of a super-council with, as I said before, a Wizard of Oz sitting over directing strategy and advising the President—as General Vessey pointed out so clearly in his statement, it is not reorganization that you must deal with so much as it is relationships between the Chairman of the Joint Chiefs of Staff and the members and between the Chairman of the Joint Chiefs of Staff and the Secretary of Defense and the Chairman of the Joint Chiefs of Staff and the President. And I must emphasize, Mr. Chairman, the relationship between the Secretary of Defense and the President.

Now, I had the misfortune to be Chairman of the Joint Chiefs of Staff at a time when the President and the Secretary of Defense did not see eye to eye on many matters. Consequently, as Chairman of the Joint Chiefs of Staff, I was frequently caught in the middle. The Constitution says that the President is the Commander in Chief. And Presidents, using that part of the Constitution, frequently like to deal directly with the Chairman of the Joint Chiefs of Staff. On occasion, they would do that, at least Mr. Nixon would do that, and Mr. Laird would not be aware of it. And then I was faced with the problem of telling Mr. Laird what Mr. Nixon told me he wanted Mr. Laird to do.

So I come back to the point, and I close with this, by saying that the problem certainly is not in the organization of the military structure. I think that there are many improvements that should be made and can be made. I think that they are within the prerogatives of the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, other than those recommendations or proposals contained in the bill, H.R. 3145.

But I don't think that the Congress can pass a law or establish an organization that accommodates every personality, both political and military, that winds up assigned in these positions. And in the final analysis, I would say with some pride that I think under the circumstances the military people have done quite well.

I would hope that we would never get into a military confrontation that was fought the way Vietnam was, because here was a conflict wherein the personnel were never really sure of what the national objectives were. On top of that, we had the greatest detail of instructions passed down by those who actually knew nothing about the problem.

I am a great believer in civilian control. And I think that that is the way the Constitution reads and those in uniform are strict constitutionalists. However, I think that the military should be told what to do, but not how to do it. In the Vietnam war we used to be told how many bombs to put on each wing of the airplanes and what kind of bombs to use by people who had never seen a bomb.

But I don't know how you are going to solve that in a democracy if you have an administration that is manned by people, such as Secretary McNamara and his staff, who was supported by the President.

And so my point is that it is not organization that is the problem. The problem is always the relationship between people.

Thank you, Mr. Chairman.

Mr. NICHOLS. Thank you, Admiral Moorer.

I first have to ask you about the President's Philippine man. I wonder if he ever got promoted.

Admiral MOORER. Finally.

Mr. NICHOLS. Let me ask you, Admiral, going back to your comments on the military council, as a distinguished military leader and former Chairman of the Joint Chiefs, would you accept a spot if you were offered it on a military council? Would you not have some reluctance as a retired military, but one who keeps in close contact with the military, in-trying to advise or counsel with the current members who are now in authority?

You have hung it up as far as the military. You have a tremendous amount of knowledge. All of us on this committee appreciate that knowledge. And the argument has been made that all that knowledge shouldn't go to waste.

But I think I would have some hesitation perhaps in sitting on a council like that whose job is to impart my advice on current people who are in the driver's seat and running the show.

Admiral MOORER. Mr. Chairman, I would not only hear, I would refuse, because I would feel that I was unqualified to make a contribution for the reason that you point out.

We live in such a highly technical world and such a fast-moving political scene that unless one has an opportunity to read the dispatches every day and to attend the meetings that go on at high levels in our Government, he simply does not know and is unqualified, in my opinion, to give all kinds of advice to those who are running the particular business. So I think that this council would die on the vine.

I would like to point out one other thing about this council I notice. The bill here goes into great detail about the personnel, the Chief of Staff of the National Command Authorities. It says absolutely nothing about who is going to staff the council. If the council in fact is going to do all the things that the bill says it is going to do, it is going to need a staff almost as large as the Chief of Staff of the National Command Authority.

And so what you are doing is just bloating the bureaucracy by putting in another layer, which I think would be nonproductive, and for that matter, counterproductive.

Mr. NICHOLS. My next question has to do with the 400-man statutory limitation that is currently limiting the size of the Joint Staff. In light of your testimony last year and comments this morning, what do you think of the administration's proposal to remove the 400-man statutory limitation on size?

Admiral MOORER. Well, first, in general, I believe that the Office of the Secretary of Defense and the Joint Staff are too large. On the other hand, as I told several Secretaries of Defense, if they would remove the question askers, I would remove the question answerers.

But at the same time I don't think that a finite number, like 400 or 300 or 200 is meaningful because the facts are that by various means the personnel would be, I think, produced, regardless of

whether it was a 400 ceiling or whether it was removed. As a matter of fact, I think defining now who is in fact on the Joint Staff, results in an accurate count of who you are talking about.

So I think that I agree with the bill presented by the Secretary of Defense. I know your concern is probably that this would result in a big inflation of the size of the staff. I don't think so. I think the staff is plenty large, myself.

Now, at one time Admiral King was commander in chief of the Atlantic Fleet. And I at one time had that assignment. I noted that my staff was much larger than his. So I got a little curious. I had some people look into his filing system, how many subjects did they file papers under when Admiral King was commander of the Atlantic Fleet? Well, my subjects were about 10 times greater because in the meantime we had the nuclear weapon, guided missiles, NATO, all of the various organizations.

And so the world is expanding and the staff got bigger for the simple reason that there were many more subjects to deal with.

But to get back to the specifics, I don't see—I really don't think that the removal of the 400 will have any impact on the size of the Joint Staff, Mr. Chairman.

Mr. NICHOLS. Mr. Ray.

Mr. RAY. Thank you, Mr. Chairman.

Admiral Moorer, your arguments are so strong, I am almost ready to take your recommendation. But we do need to get some things in the record.

You argue very well that the present organization should not be modified since it works so well. Yet historically the Joint Chiefs have been unable to address two crucial areas: the allocation of the defense budget among the services and, No. 2, the roles and missions of the services. And I just wondered what your opinion would be there, if this represents a failure to deal with the issues which might indicate a serious deficiency in the current organization.

Admiral MOORER. Well, I think that if you are going to have the Joint Staff or Joint Chiefs of Staff get down to specifics as to every line item in the service budget, then you are really talking about a single service with a single chief of staff, which I don't think is desirable in any sense, in our democratic system.

What the Joint Chiefs of Staff do is to first develop a plan which sets down the force requirements against the threat, with acceptable risk. Now, that always, of course, costs far more than is allocated in the regular division of the Federal budget.

But I think it is important to list essentially what you would need if you really had a war. Then the Joint Chiefs discuss this and you come down to a lower figure, which is generally allocated by the Secretary of Defense in terms of what he calls bogies for each service. At least I am telling you how they did it when I was there.

And next the Secretary of Defense will generate what they call issues over each major weapons system. And the issues are discussed then one by one with the service chiefs and the Joint Chiefs of Staff and the Secretary of Defense, and a decision is made in that fashion.

When you are dealing with technology—the Defense Department is not building automobiles. All the automobile people do is take the headlamps and rotate them 90 degrees one year and they flat-

ten out the fenders the next year, but they really don't change the automobile. But in weapon systems, you are always trying to—the customer is the main enemy. You are trying to equal his performance or, better yet, improve on his performance. And so you are stretching the art all the time. It is not a finite science, and you are going to have mistakes and overruns and so on.

But as I told one famous Senator one time who told me he thought we were building very low-grade weapons systems, I said, "If that is the case, why is it that the Russians want to steal them, and everybody else wants to buy them, if they are so bad?" Because they are the best in our system.

But associated with that, of course, you have to have the maintenance people, and that relates to the education of our society.

We have always tried to reduce the number of people by taking advantage of technology. But when you do that, that immediately creates a demand for very high-quality people. You cannot have a plane chief of a \$20 million plane that cannot read the instruction book, and that imposes a very serious problem.

Now, I think that you are going to have to rely on the Secretary of Defense to finally make the decision as to what the budget—the allocations are going to be, because what we are talking about is an executive pyramid. As Mr. Truman says, "The buck stops here."

You are never going to get a system which just comes forward with everybody patting each other on the back and happy over the budget and so on, and this is exactly what we want. People keep saying the Joint Chiefs of Staff never gives a single bit of advice. I think it would be very dangerous if they always gave a single bit of advice.

Now, your other question.

Mr. RAY. The other question was dealing with the roles and missions of the services.

Admiral MOORER. I think the roles and missions in peacetime that appear to be sometimes a matter of contention are associated directly with your first question, the budget. The roles and missions in wartime never become an issue. I can tell you the time that we did the Christmas bombing, where we caught so much hell, but we got the POW's back, we had 100 B-52's, and 350 tactical aircraft over Hanoi within a timespan of 30 minutes. I don't think there is any other country in the world could even approach that.

The Navy cruisers were warning the Air Force aircraft that enemy aircraft were on their tail. The Air Force was assisting the Navy with countermeasures. And it was a classic operation with perfect cooperation. So I don't think that the roles and missions, when you get into a war, will assume nearly the importance they do in the budget and the political arena.

Mr. RAY. Thank you, Admiral.

Mr. NICHOLS. Chairman Stratton.

Mr. STRATTON. Thank you, Mr. Chairman.

Admiral, do I understand you support the legislation recommended by the Secretary of Defense?

Admiral MOORER. Yes, sir, fully.

Mr. STRATTON. And this would put the Chairman in the chain of command.

Admiral MOORER. He is in the chain of command by practice, anyway. So it legitimizes, you might say, a procedure that has been in effect, at least was in effect in toto during the time I was Chairman.

Mr. STRATTON. That was what I wasn't clear about. My impression was that the Chairman was sort of the fellow who would send out the instructions, but that he was not really directly in the chain of command.

Admiral MOORER. The effect of that legislation is to guarantee that no directive will be given to the Military Forces to conduct combat action without passing through the Chairman of the Joint Chiefs of Staff.

Mr. STRATTON. You say this has always been the case. I wasn't aware of that. I am very much in favor of it, because, if I remember correctly, one of the problems that occurred during the Cuban missile crisis was that the Chief of Naval Operations resented the fact that Mr. McNamara was in there trying to tell the destroyer skippers where to go and what to do, as I recall.

Admiral MOORER. I don't blame him. I would have, too.

Mr. STRATTON. I think if the Chairman is in the chain of command, then he would be next to the Secretary and you would have a uniformed officer who would be giving the directions.

Admiral MOORER. Yes, sir. I think, to go back to your point about the Cuban missile crisis, at that time, you see, Admiral Anderson was assigned as the director of that operation. The Joint Chiefs of Staff was just beginning to come of age then. If you had this law in effect then, Mr. McNamara could not have assigned the Chief of Naval Operations.

That was a kind of awkward arrangement in my opinion. I don't think that is a good example of the thing. That shouldn't have been done that way in my opinion.

Mr. STRATTON. I have always been a little bit hesitant about this business of having the Secretary of Defense in the chain of command in time of war.

Admiral MOORER. Well, that creates difficulties, as I said earlier. If the Secretary of Defense, for personal or political reasons, opposes what the Commander in Chief, the President, wants to do the problem is serious. I would like to point out to you there is a big difference in the way a civilian looks at the President of the United States and the way a military man looks at the President of the United States.

The people in the executive branch who have appointments here and there in the White House and around about in the overall executive branch look upon the President as the leader of their political party. They are always kind of maneuvering around as to what is going to happen in the next election and so on, and looking at it from that point of view.

Whereas a military man, a career military man, looks on the President of the United States as the Commander in Chief, period. He is the man that gives them that directive. They do not have a political overtone. And for that reason I think it is quite different. There is quite a different attitude and outlook.

Mr. STRATTON. The other bill, Mr. Skelton's, according to the heading here, would establish a single Chief of Staff. This is some-

thing that has been a bugaboo to many of us, and I am sure to yourself, over a number of years. I think it would be a mistake for us to go to the so-called purple-suited operation they have in Canada, for example. I am sure you share that view.

Admiral MOORER. I think it would be an absolute disaster. I have already commented to the point it is absolutely full of pitfalls. It contains an arrangement which this Congress, this Armed Services Committee, already says is repugnant, which is what you are talking about now. So I agree with you 100 percent.

Mr. STRATTON. Let me ask you one other question, somewhat timidly. Mr. Skelton has a National Military Council in his bill. I think you testified earlier that you didn't feel that council could give very good advice because it wasn't up to date, and you would not serve on it.

I authored in another bill, in the previous Congress, a proposal for a national strategy advisory committee, I don't remember the exact title, which in my judgment would provide recommendations from senior retired officers, like yourself, who would have experience. Although you and I are probably both too young to really remember this, it would be something like the General Board in the Navy back before World War II.

Would that kind of a body be in a position to be helpful, or would you oppose it in the same way that you oppose the national military council?

Admiral MOORER. Well, I would oppose it for the simple reason there is no way these individuals—and I try awfully hard right now to keep up with what is going on. I have a terrible time doing it, because I don't have access on an almost hourly basis, attending meetings and reading messages.

I think so far as the general board is concerned, the Navy abandoned it for that same reason, after the war. It was because no human can keep up with the technology and the new tactics, and particularly the intelligence, because you don't get the intelligence once you retire that you need to advise properly on strategy.

Now, I, personally, happen to get it because I am a member of the President's Foreign Intelligence Advisory Board. But as a rule, I would not.

Mr. STRATTON. Thank you.

Mr. NICHOLS. Mr. Britt.

Mr. BRITT. Thank you, Mr. Chairman.

Congressman Ray asked the question about the budgeting. I would like to ask you a question which is only indirectly related to the reorganization, but which certainly impacts on it. As you look back, and you described the process of assessing the threat and trying to fashion a response to that, in your estimation has that process worked pretty well?

You hear about the constituencies that develop for weapons systems, you hear about the interservice wranglings and those kinds of things. In your perspective, as you saw that process at work, does the present budgetary system, the present process of trying to allocate resources for the national defense, work pretty well?

And what in your candid opinion are some of the problems that we might focus on if there are serious problems in that process?

Admiral MOORER. Yes, sir, there are definitely problems. But if you go back to our basic concept of government, we have checks and balances. And I would be very alarmed if a service chief, for instance, did not support his programs. That is what his duties are. And the young officers, for instance, would immediately have a collapse of morale if they thought that the Chief of the Navy, for instance, wasn't going to support a shipbuilding program, or something like that.

I just think in our system it is a matter of maintaining balance, based on intelligence. And I do think that there has been very significant progress made in the concept and participation in joint operations, wherein all three services work together. That has progressively improved since the Joint Chiefs of Staff was created.

I don't think that the Congress can devise legislation that would prevent an officer from supporting his particular environment in which he has served for 35, 40 years. And I think it would be very undesirable if such a thing happened.

So you start out to put together a force which has the capability of meeting several threats. In other words, we cannot in my opinion devise our military forces around a single strategy and a single weapons system, because if you do, the enemy becomes aware of that and immediately will attack you in another area where you have more or less pushed aside.

This is the way the old general staff idea comes across, and people always cite how successful the Germans have been using the general staff. But I point out to you that the Germans also lost two wars.

If we had a system of government where the Joint Chiefs of Staff would say on May 5 next year we want you to invade Russia or something of that kind, you would approach this whole acquisition of weapons and everything entirely differently. But we sit back. We are not going to attack anyone unless we get attacked first. So you have to be able to respond.

And that I think is the key point about why our system appears to so many people to be developed on the basis of bickering and arguments over roles and missions.

Mr. BRITT. What I am hearing is at the interservice level it works well; it works all right given the fact that we are entirely defensive and not having any offense.

At the service level, do you feel the process as it unfolds in planning, trying to meet the threat, planning weapons systems, research and development, and the end product that we wind up with, given our system of government, pretty well does that? Does it work well? Do we wind up with a proper response to the threat in your estimation?

Admiral MOORER. Well, you are always going to have—the answer to your question is “Yes.” But naturally you are going to have these “60 Minutes” programs and so on. You take something like the Mark 48 torpedo. I was involved in the initiation of that development in 1952. And about 10 years later we had a “60 Minutes” program saying how terrible it was and how much had been wasted. Today it is the best torpedo in the world.

What I am saying is that for some reason the media in particular seem to—when you are testing a new system, they expect it to

work the first shot. And if it doesn't work, they come out with horror stories about it. The point is, if you knew it was going to work the first shot, you would not fire it in the first place. You have to make the tests to get the bugs out of the thing. And yet you get a tremendous media coverage of a failure of a test effort.

So I would point out again, I repeat, we are dealing with the very frontier technology. Naturally the things a lot of times are not going to work.

Mr. BRITT. Thank you, Mr. Chairman.

Mr. NICHOLS. Admiral, in your testimony last year I believe you stated that reorganization of the Joint Chiefs of Staff could be a very decisive issue. Would you explain what you meant by that?

Admiral MOORER. Well, I think, again going back to the fact that we have devised our entire government, beginning with the executive, legislative and judicial branches, on the basis of coequality and balance of power, so to speak, that if you put one individual in charge of the whole—in other words, go to in essence a single service, if not in terms of the same uniform, in terms of total and central control, I think that it would certainly destroy the relationships that General Vessey is talking about in his statement.

So you have got to have this close cooperation and understanding and mutual assistance if you are going to get the best out of the people as well as the best out of the equipment, itself. To me—I said that because I thought the reorganization that was being discussed would not lead to further cooperation and coordination, but would divide.

Mr. NICHOLS. You have brought back a lot of memories to some of us on this subcommittee this morning in your reference to the Vietnam era, at which time you were Chairman of the Joint Chiefs and Chief of Naval Operations. That poses a question with me.

You were also dissatisfied with the way the war was being conducted. But you were a military man, and you followed orders. Did you at any time during those years in which you were somewhat unhappy in the way the war was being conducted from upstairs, did you express your concern to the Congress on the conduct of the war?

Admiral MOORER. Yes, I did, sir, on occasion. As a matter of fact, I got, you know, involved in this a couple of times and was told I was expected to support the administration.

Well, I discussed this with Mr. Stratton before. Congress also asks: "Do you support such and such an action?" Well, of course, you have two alternatives in an executive pyramid. It is the same way—I am on the board of directors of Texaco. It is the same way. If one of the vice presidents cannot support the chairman of the board, he has two options. He can support or he can work for Mobile or somebody else.

And so unfortunately there is not another military organization for the Chairman of the Joint Chiefs of Staff to work for. But anyway, yes, I did. But I think the Congress never did question the details of how this war was really being managed.

I know Mr. Stennis, who was chairman of the Senate Preparedness Subcommittee, held a big, extensive hearing on this. I know that Admiral Sharp came to Washington. He was the Commander in Chief Pacific at the time. He very clearly told the Preparedness

Subcommittee the target selection was improperly handled, and so on. After that, President Johnson never called him by name, he just called him "that man." "That man is back in town."

So I think that the Congress should ask questions along these lines, "If you were doing it, would you do it this way?" That type of thing, rather than say do you support—that is almost a stock question—do you support such and such?

But the Vietnam war was so bad in terms of how the Office of the Secretary of Defense interfered with the tactics in terms of, you know, telling how many aircraft to launch and how far they were to go, up to 20 degrees. Then if Le Duc Tho didn't get the word, they let you go up to 21 degrees, and if he softened up a little bit, we would back off to 19 degrees latitude.

That was all nonsense. No military person in his right mind would have operated the Vietnam war that way. It was a ridiculous situation when you look back on it, Mr. Chairman, to think that a country with fewer people than we have in two counties in the State of California, Los Angeles and Orange Counties, did what they did to the United States. It was ridiculous. We could have cleaned that thing out.

For instance, I will tell you an example. The first thing we did, we spotted the construction of an SA-2 missile site. So I asked permission to attack it. I was told that this is a deterrent, they are not going to shoot at you with that missile, but if they do, we will let you attack it. By the time we finally got authority to attack the missile sites, they had built 8 of 16 of them, and it got to be an entirely different problem.

We could have prevented the construction of those things in the first place by never letting them get the first shovel in the ground. But we were not allowed to do that. I can cite you many other examples.

Mr. NICHOLS. Mr. Ray, further questions?

Mr. RAY. Admiral, we have had a number of rather distinguished witnesses before the subcommittee. Some have indicated the Secretaries of Defense in past years have come to rely upon civilians for military advice because of the inability of the Joint Chiefs to agree on a central military problem.

Admiral MOORER. I think the statement they rely on civilian advice isn't quite true. I don't agree with it, because I could cite, as I did in my statement last year, that the advice that we gave the Secretary of Defense and the President was never followed.

I was Commander in Chief of the Pacific Fleet. I flew back to Washington with a request to mine Haiphong Harbor. That was in 1965. And this was not approved. And it was not until 1972 that I was called in to Mr. Nixon's office, and he said, "How long will it take you to make a plan to mine Haiphong Harbor?" I said 3 seconds. We mined Haiphong Harbor with exactly the plan that I had written back in 1965.

And here we were flying a thousand sorties a day, and we took just 26 airplanes, only 25 out of 1,000, and they were gone about 2 hours, and they dropped those mines, and not one ship entered or left that harbor from then on until we, ourselves, went and took the mines out.

Now, had we done that—you see, the effect of failure to do that was as follows. Had we mined Haiphong Harbor at the outset the North Vietnamese would have been forced to get all their supplies by railroad, and that would have overloaded the railroads and the railroads would have been very vulnerable to attack. But the facts were that the railroads were running at about 10 percent capacity at night, because they didn't really need them. The minute we mined that harbor, they started overloading the railroads and we really knocked off the trains.

But you could not do it if they could bring everything they wanted to in by snip. The concern was always that it was the same way around Hanoi, at the airfield. We were never allowed to attack Phuc Yen Airfield because the Russian courier came in on Tuesday, and the Chinese courier flew in on Thursday. And all the handwringers in Washington said you might shoot down a Russian or Chinaman and we can't have that. The North Vietnamese took the Mig-23's and put them in that airfield, and we were not allowed to attack them until they got the wheels up.

I could tell you stories like that all day, and tell you what a terrible experience that was for the country and certainly for me.

Mr. STRATTON. Admiral, have you ever written anything as an analysis of what went wrong in the Vietnam war, or do you know of any good analysis? I have read Admiral Sharp's book. I haven't read all of General Westmoreland's. I think your observations would certainly be very helpful as a matter of interest.

Admiral MOORER. Mr. Stratton, I have dictated them and had them transposed. I have two books about so thick. But I am afraid if I publish any of that, everybody will leave town.

Mr. STRATTON. You would be on the best seller list.

Admiral MOORER. I intend to do it sometime. But I have, yes, recorded it all.

Mr. STRATTON. I hope you do. I think it would be very important.

Admiral MOORER. Thank you.

Mr. NICHOLS. Mr. Ray.

Mr. RAY. One final question. In your opinion, what should be the main assignment of a Joint Staff officer?

Admiral MOORER. I feel the same way about that as I do about the 400. I don't think—I think about 3 years, I would say. But I think the authority should be granted if they want to extend it a year.

I just think to flap down these numbers like that—just like having 55 advisers in El Salvador. Who knows whether it ought to be 55 or 65 or 25? I think trying to put a finite number on some of these situations like that is not too meaningful.

Mr. RAY. Thank you, sir.

Mr. NICHOLS. Mr. Stratton, do you have further questions?

Mr. STRATTON. No, Mr. Chairman.

Mr. NICHOLS. Mr. Britt.

Mr. BRITT. Just one question.

Admiral, concerning one of the discussions that has occurred here, as to the advice of the Joint Chiefs of Staff. Who would be under the Chairman and would in effect conduct that hearing or conduct the business of the Joint Chiefs if he is not there? At the present time, as I understand it from the testimony we have had,

they are doing that on a rotation basis, where each of the various services handles that.

Would you comment on your views on the advice of a permanent Vice Chairman for the Joint Chiefs of Staff versus what is happening now with rotating among the services?

Admiral MOORER. In my testimony last year I opposed that. Again, you know, the way we try to solve problems is always to add some more people. The minute you get a Vice Chief, he has to have a staff himself, and four or five officers, and the thing gets bigger and bigger and everybody starts taking in each other's wash.

So I don't think we need a Vice Chief. You have a Director of the Joint Staff—and you have a flag or general officer that is the head of the Chairman's staff. The Chairman, at least I did, has a staff of about six officers, very carefully selected officers of different services, and each one of them—I assigned each one of them an area to be responsible for.

And any time a message came into the Pentagon, and they were coming in at the rate of about 600 a day, this individual was responsible to bring to my attention any message that affected his area. And so the other members of the Joint Chiefs understand—have available the same information. If the Chairman of the Joint Chiefs of Staff is out of town, one of the other Chiefs can clearly and effectively act as temporary Chairman.

The system of letting each one have 3 months at a time, of course, eliminates the disadvantage of their coming and going too, and the individual knows for that 3 months he has to stay home. So I don't think you need another four-star admiral and another staff. I just am opposed. That is the way this Government works. Any time anybody has a problem, they want to tack on a few more officers, hire some secretaries, get some filing cabinets and telephones and off you go.

I think it is totally unnecessary. If I could be reincarnated and start over as Chairman and they gave me a Vice Chairman, I would tell him to go home.

Mr. BRITT. Thank you, Mr. Chairman.

Mr. NICHOLS. Mr. Skeiton.

Mr. SKELTON. Thank you, Admiral. I appreciate your being with us today.

During the testimony of the Joint Chiefs, one of them testified to the effect that during the time of war, a member of the Joint Chiefs, such as the CNO, would have to spend all of his time on matters of strategy, in essence running the war, and leave the operation of his service to the Vice Chief or the Vice CNO in the case of the Navy. Do you agree with that?

Admiral MOORER. No, I don't agree he would spend all his time.

The way to do that is to delegate authority. One of the, I think, unfortunate trends that has taken place in the Pentagon, beginning with the days of McNamara, is centralizing authority. He had to decide everything. He had what we call—I call—the snowflakes, which were flying around. His staff would write up and say this is the problem and these are the three solutions, we recommend solution A. The next paper would say C, and the next one B. They would alternate them around so they didn't appear to be in a rut.

But nevertheless, they would have a couple no one would accept, and then the other one would be the one that they were supporting themselves, so obviously he would check it. Unfortunately, the correct way to do it was the fourth option, which wasn't on the paper.

So I think that if the Chief of the Service has a Vice Chief, he sets a policy, and he shouldn't get involved in day-to-day details.

Mr. SKELTON. So the Vice Chief runs the show.

Admiral MOORER. Yes, he runs, you might say, the operation. You have to remember that the Chief of Naval Operations, that is a misnomer. There was a day when he was in fact the Chief of Naval Operations. But he no longer is. He is the Chief of Staff just like you have in the Army and the Air Force.

But I think that one of the biggest mistakes a senior person can make, be he chairman of the board of a corporation or Chairman of the Joint Chiefs of Staff or even Secretary of Defense, or what have you, is to get totally immersed in detail.

Mr. McNamara, for instance, would sometimes get a scale model of a carrier deck and a scale model of airplanes and see whether we were telling the truth about how many you could put on a deck. So I think that the senior man should delegate authority. I do not agree that the man dealing in strategy and so on wouldn't have time to guide his service.

As a matter of fact, that is the whole point. He goes down and participates—he finds out what the next move is going to be, where the problem has been worked out with our allies, then it is his responsibility to go back and make certain his particular service is properly trained and equipped to carry out its assignments in this strategy or extended strategy or new plan.

If you have some person completely separated, you get back to what I said at the outset, that those who make the plans have got to be responsible for the execution in my opinion.

Mr. SKELTON. Admiral, during the time you were the Chief of Naval Operations, and then later the Chairman, was there ever a year when the defense expenditure went down or stayed the same, to your recollection?

Admiral MOORER. Well, my biggest difficulty during that period had to do with the appropriation for shipbuilding. Mr. McNamara put out a policy statement that said we will buy for attrition and not for modernization. And this meant since we didn't have any ships sunk, we were not—we were not buying any ships. The Congress would probably be startled—in my last year as CNO, the shipbuilding budget was \$800 million. But the budget, of course, dealt with taking care of attrition, procurement to replace attrition.

Mr. SKELTON. Thank you.

Mr. NICHOLS. Mr. McDonald.

Mr. McDONALD. Thank you, Mr. Chairman. I appreciate your letting me sit in. I was over at Military Construction Subcommittee hearings testifying. I was very pleased to hear that Admiral Moorer would be testifying before your subcommittee. I was anxious to hear his testimony on this whole matter. I found it very helpful.

Admiral, you brought up a number of points that I found fascinating. I agree with Congressman Stratton regarding the fact that

these volumes of material, I think, would be very helpful, because I perceive we are continuing to make some of the same mistakes with regard to the matter of, not the civilian control of the military, but the civilian domination of tactics and execution of it as far as aspects of conflict are concerned.

It looks like we did that in the Korean conflict, the Bay of Pigs, probably the missile crisis period, throughout Vietnam, and apparently in the Iranian Desert as well. We don't seem to have changed this. It may be that by bringing the horror stories to light to the general public it will be corrected.

In my thinking of this, with my background in surgery, I fully agree that the patient has the full right over his own body as to whether or not he is No. 1, going to see a physician, and, No. 2, will take the physician's advice. But once the decision is made that the patient is going to have the operation, it is at that point you turn it over to the professionals to carry out the assignment.

You do not have members of the patient's family in the operating room saying, "Don't cut in that quadrant, we want you to cut in this quadrant." No surgeon would undertake any surgical assignment with those types of restraints, with friends and neighbors looking in who don't have any background or expertise telling you how to carry out a professional assignment.

And it looks like that is the repetitive defect we have had since World War II.

Admiral MOORER. I think your comparison is a very good one. I made the point that the military people should be told what to do, but not how to do it. And that was not the case, unfortunately, during Vietnam. It was not the case in the Bay of Pigs, as you point out, and it was not the case—I don't think, I don't know too much about the attempted rescue, except that that had certain characteristics which I personally would have opposed.

But you are quite right. We had that imposed in the greatest detail during the Vietnam war.

Mr. McDONALD. The reason why I particularly would like to bring this home is I am in a Reserve military unit. You will be happy to hear, I suppose, it is the Navy, Admiral.

The Reserve unit meets on Wednesday evenings. At the last Wednesday evening meeting the basic presentation was the fact that the military does have control over the execution of the conflicts and did in Vietnam, contrary to general opinion and contrary to propaganda. I think the general view of the Reserve unit was that that certainly flew in the face of everything we had been told, everything we knew, and I brought up the point of the number of bombs on missions, and so forth and so on, as an example of the nonprofessional or civilian control over the conflict of the war, itself, and the enormous restraints, the rules of engagement.

I know Senator Goldwater placed it in the Congressional Record. Admittedly it was a minute presentation or a condensation of the rules of engagement which were something like two volumes, about that thick. He placed a condensation in the record pointing out the enormous restraints by the nonprofessional over those who had to carry out the plan, and with the predictable result.

Admiral MOORER. There is no question about that. For instance, the Chinese trawlers were carrying all kinds of supplies to the

North Vietnamese that were in South Vietnam. We were never allowed to attack them. All we could do is trail them and inform the South Vietnamese. If they violated international waters, then they would finally be taken under fire.

Then we had a procedure called protective reaction, which meant in effect that if you were flying over North Vietnam on reconnaissance you could not attack anything on the ground unless they fired at you first. Of course, you know I have flown a lot of times, and you get back to your base, and you have bullet holes all through your wings and everything else, and you didn't know when it happened.

But the rule was that you don't attack the man that is shooting at you until he shoots at you first. And so, as I say, the restraints and the rules of engagement were nothing short of ridiculous.

Mr. McDONALD. Mr. Chairman, if I may just continue for a moment.

Mr. NICHOLS. Without objection.

Mr. McDONALD. You mentioned the fact that, as Chief of Naval Operations or Chairman of the Joint Chiefs of Staff, you were at the upper levels of the command pyramid or executive pyramid, and that you would have to be part of a team, so you basically support the presentation that was made, even though it would not be the way you would have conducted it had you been the one responsible for the overall decision.

In retrospect, there were instances, not many, but there were instances of those low down in the pyramid who strongly did object to the conduct of the war. I am not speaking of the draft-dodgers or the war protesters. I am speaking of those that were assigned to the missions who objected to the fact that they were fighting a no-win effort, where there was not a clear objective.

Particularly I remember Lt. Comdr. Larry Baldorf who came from a distinguished Navy family, his wife from a distinguished Navy family, Annapolis graduate, Navy test pilot, who finally began to write letters. You probably received some, Admiral Sharp received some, objecting to flying off a carrier deck carrying one or two bombs, bombing insignificant targets, and saying, "I am willing to fight when I fight to win, but I am not willing to play this game."

I am just curious. Is that a point of frustration to you when you start running up against that type of thing?

Admiral MOORER. No, it is not a case of frustration. For instance, when we were bombing Hanoi with the B-52's out of Thailand, one of the pilots refused to go. He had some hangup about killing civilians. You have people—those kinds of situations come up, I think, in any war.

Mr. McDONALD. Baldorf was different. He was critical because he said we are not allowed to fight to win the war; we do not have an objective of winning, so why should I be here in an undeclared conflict risking multimillion dollar planes, education, for an uncertain, unclear objective where my hands are tied behind my back in the process of my fighting? That is going the other way. It is a different situation.

Admiral MOORER. That is right. He has a perfect right to say that. What I am saying is if we get into a war and you let everyone

express their own opinion, I am sure that hundreds of thousands of soldiers that fought in Korea, and fought in World War II, were not exactly enthusiastic about some of the things that were done in their units and so on.

But I don't think—I think when you get down to low-level—you are going to get those kinds of things, and people can say that if they like. It is just like a conscientious objector in some cases. But, on the other hand, at the top, you have the option of supporting or resigning. In the political system, you can bet your bottom dollar if you resign—and I have thought about that—they will put somebody in your place that never will oppose them on anything. You are not going to get replaced by somebody that will succeed in preventing the action that you are concerned about.

Mr. STRATTON. General Lavelle tried that for a little while. I think it was the same sort of thing you were talking about. He wanted to knock out some substantial targets and he went ahead and knocked them out, but he wasn't supposed to.

Admiral MOORER. I think General Lavelle, he was tied up with this protective reaction rule, where he said in effect we are going to get attacks from this point anyway, so we will attack them first, which makes a lot of military sense. But his problem was a little different, Mr. Stratton, in the sense that when he reported—when they started the sorties, they did not point this out. This was not put in the report. And I think that was what General Ryan found fault with Lavelle. There wasn't a military man in the world who didn't think what he had done was exactly right. But he in effect did not turn in an accurate report, and that is where he got into trouble.

Mr. McDONALD. Just one final point. In your discussions with the Secretary of Defense during your time as Chief of Naval Operations or Chairman of the Joint Chiefs of Staff, or in your discussions with the President, was it ever clearly stated to you, at least where it was clear in your mind, as to what the objective in Vietnam was, or was that a wavering target?

Admiral MOORER. No, I think you probably described it properly. It was a wavering target. Of course, it was a spillover from the old containment policy, to stop the Soviets, or the Communists, rather, from spreading in areas of strategic importance to the United States and subjugating human rights, and so on, in the process.

But, no, there was never a clear-cut statement of national objectives in that war. And I think that the young soldiers, the people that really suffered in that war, were the young lieutenants and captains that had the combat troops in that heavy foliage, up forward. They were being rotated every year, so they never had any unit fix, and they never got to know each other. The young lieutenants who were expected to mold these people together into a fighting unit—I think they had the most difficult assignment of any military man in the history of our country.

Mr. McDONALD. Thank you, Admiral.

Mr. NICHOLS. Mr. Lally.

Mr. LALLY. Only one question, sir. To pursue Mr. Ray's question about the reliance of the Secretaries upon the civilian staffs rather than the Joint Chiefs, last year witnesses, primarily former Secre-

tary Brown, cited the inability of the Joint Chiefs to provide crisp advice in a timely fashion.

Would you have any suggestions or proposals as to how those deficiencies or problems could be overcome within the current organization, to provide more timely and crisp advice, which Secretary Brown said he was not getting from the organization?

Admiral MOORER. Well, I don't know that Secretary Brown would ever get it. But I think, as I said before, you have got two kinds of advice: advice that is time sensitive, that has to be given instantly on the telephone, which normally comes direct from the Chairman of the Joint Chiefs of Staff—it should; and advice as to long-range advice on strategy and so on.

And I think that again I come back to what General Vessey said in his statement—it is a matter of relationships. For instance, every President functions differently, and so does every chairman of the board of a corporation.

Mr. Johnson, for instance, didn't really use the National Security Council in the stated purpose in the law. He had what was called the Tuesday lunch. If you wanted to get an answer to a certain problem, what we were going to do, you had to attend the Tuesday lunch rather than the National Security Council meeting following it, after essentially the decision was made.

So unless the military people are given an explicit statement as to what the national objective is, and know where we are headed, they are never going to get any crisp advice. How can you advise when you don't know what you are trying to do? You can make recommendations, which we did over and over again, about actions such as mining Haiphong Harbor.

The Joint Chiefs of Staff were very, very firm on their statement that the Bay of Pigs operation would not succeed unless the Cuban Air Force was knocked out. The decision was made to not knock it out because it was based on a civilian field, and you might kill some civilians. So the first thing they did was fly out and sink the ammunition ship. And the people that went ashore against the Cubans only had the ammunition they had in their pockets.

I don't think the Joint Chiefs of Staff can in any way prevent things like that from happening if the political masters want to change the rules at the last minute. But I guess Secretary Brown was talking about the Iran rescue effort. But, there again, in that particular case they kept insisting this is not a military operation, it is a rescue operation. So that put a different light on it.

The next thing they did was to set these milestones saying if you don't have a certain set of conditions at this point, you turn around and come home. But if you go, you go here. But then if you don't have a preset set of conditions, you turn around and come home.

In the old days, you heard the expression, "burning your bridges behind you." In the old days, the kings used to make the generals burn their bridges behind them so they could not run back. But here instead of burning the bridges, they built a bridge every time they reached a new stage in the operation.

Mr. LALLY. Thank you, Admiral. Thank you, Mr. Chairman.

Mr. NICHOLS. Mr. Stratton.

Mr. STRATTON. One more question.

During your time as Chairman of the Joint Chiefs, Mr. Bundy was the President's National Security Adviser, was he not? And Mr. McNamara was Secretary of Defense.

Recently, earlier this year we had testimony from these two gentlemen with respect to the size of the military budget. They made recommendations of eliminating a number of systems, such as the MX, B-1, nuclear carrier, I think virtually much of the shopping list that we have received from the Secretary of Defense. And they said that would save \$135 million but would not impair our defense.

My question is, on the basis of your association with these gentlemen during that period, would you feel that they had the expertise to tell us exactly what systems to fund and what not to fund?

Admiral MOORER. Absolutely not. It boggles my mind that they could make such a statement. Mr. McNamara, when he was Secretary of Defense, in real purchasing power, had a larger budget than we are talking about now. And you have to realize, Mr. Stratton, that an administration or a President in office today, because of the long lead time, of which you are well aware, associated with the development of weapons, depends entirely upon the weapons provided him by his predecessors.

But it is his responsibility to try to make certain his successor has at least the same or adequate strength to carry out whatever the foreign policy happens to be, or the policy of the country, and the security of the country.

So I was astounded at what Mr. McNamara said, because he is, in effect, saying that Secretary Weinberger should not prepare his successor or President Reagan's successor in the same manner that he was spending money to prepare his successor, because—to cut out all those systems and so on. At least I will say one thing, I am consistent. I am appalled at so many people who take one position 1 day and then they reverse themselves.

Mr. BARRETT. Admiral, last year you made the statement that you made your views known to the President. In other words, you gave the President your personal military advice, particularly if you didn't agree with the JCS.

Do you feel that is a responsibility of the Chairman?

Admiral MOORER. Absolutely. It is a responsibility of every member of the Joint Chiefs of Staff. That is the whole reason for having people representing different kinds of combat environments. If they don't agree—you know, the whole purpose is not to freeze out and prevent the military command authorities from getting information from everyone.

Mr. BARRETT. But, of course, you as Chairman would have a lot more opportunity to give your advice because the others don't see the Secretary and the President nearly as much.

Admiral MOORER. I probably have more opportunity to sell my advice, but not more opportunity to give the advice. Because each member of the Joint Chiefs of Staff is personally free, and they frequently did write a dissent. In other words, you know, the Joint Chiefs of Staff really don't vote. You have a Joint Chiefs of Staff position, but you could easily have, and often have, a dissent.

And as far as the Chairman is concerned, what I did was, in the Chairman's memo, tell what my personal position was. And I did

that several times. I will give you an example. I was very much in favor at that time, and this was before the so-called Yom Kippur War, of establishing a joint task force in the Asian Sea. Well, I could not sell that to all members of the Joint Chiefs of Staff.

But anyway, I sent in my own recommendation. That is when—back before the 1973 war.

Mr. BARRETT. You know, Admiral, the law doesn't even say the Chairman is the JCS spokesman, although that word is normally used to describe the Chairman. It merely says he informs the Secretary and the President when the Joint Chiefs of Staff have disagreed. But what you are saying is that he is really responsible for being an adviser in his own right, as are the others.

Admiral MOORER. Let me tell you how it works.

I want to point out again, and I don't think everyone—I have already mentioned it briefly, but the National Security Council is, in effect, the President's staff. That is what it is. And he can run it any way he likes, just like any Chief Executive can run his staff just like he likes. And no two Presidents do it the same way.

For instance, I told you about Mr. Johnson. They had the Tuesday lunch. Mr. Nixon, having been Vice President under Mr. Eisenhower, set it up again essentially like Mr. Eisenhower had it. But the Chairman of the Joint Chiefs of Staff, at least when I was Chairman, went to every National Security Council meeting, every one of them.

And what Mr. Nixon would do would be, you start out with, say, a briefing by CIA on the current situation; then you would have a description or statement by Kissinger as to what the issue was. And there are those who support this and those who support that. But he never took a position himself, although I am sure he took a position privately, but never took a position at the National Security Council meeting.

And then the President would start right down the line—Secretary of State, ask him what he thought. And then the Secretary of Defense, ask him what he thought. Then the Chairman of the Joint Chiefs of Staff, ask him what he thought.

If when it got to me, if I knew that a particular individual on the Joint Chiefs of Staff was—did not agree with the option they were talking about, I would say it is my duty to inform you that the Chief of Staff of the Air Force does not agree with this, or that he does agree, and I do not agree with it. In other words, I would tell him—if there was a difference among the Chiefs as to the opinion on the issue, I felt it my duty to call to the attention of the President that these individuals did not agree with this approach.

So the Chairman of the Joint Chiefs of Staff did have an opportunity, as was pointed out, to discuss these points with the Secretary of Defense and the President far greater than the other members. But I think—I don't think any President has had enough discussions with the Joint Chiefs of Staff. I really don't. He sees the Chairman all the time, but he doesn't see the other members.

I think any President would be better served if he talked to them more. I think Mr. Reagan has tried to do something about that, as I understand. But in the days of Nixon and Carter, I don't think it was very often. And I think it is very important. The President has got a man chasing him around with the information relative to nu-

clear operations, since by law he is the only man that is authorized to use nuclear weapons.

Consequently, I think the President, whoever he happens to be, should spend more time learning the mechanics of the operation.

Mr. BARRETT. Thank you.

Mr. Chairman, I might comment that last year, because of the sorts of things the Admiral has just gone over, the subcommittee, in looking at the quality of military advice—compliments that it was not good or timely, and these sorts of things—took steps to point out, and to put in the law, that the Chairman is an adviser in his own right, and to make that responsibility known. And I think Admiral Moorer corroborated somewhat what we did.

Admiral MOORER. Yes.

Mr. NICHOLS. Thank you very much, Admiral Moorer, we appreciate very much your testimony and expertise.

If there is no further business, the subcommittee stands adjourned subject to the call of the Chair.

Admiral MOORER. Thank you, Mr. Chairman. I would just like to say I have spent many, many hours with this committee and always found everyone most courteous. It is one of my fondest memories of the time I spent, going way back in the old days. We have had some very, very interesting chairmen.

Mr. NICHOLS. Thank you.

[The following information was received for the record:]

11 JULY 1983.

Hon. BILL NICHOLS,

Chairman, Subcommittee on Investigations, Committee on Armed Services, U.S. House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter of 30 June 1983 which included a question to be entered in the record of your Committee's hearing on 29 June 1983. I will attempt to be as brief as possible but in my opinion the question focuses on one of the most troublesome aspects of our national command structure. At least this is the very firm conclusion I reached during my seven years as a member of the Joint Chiefs of Staff.

Your question is repeated below:

Question. In your judgment what should be the role of the Secretary of Defense in the chain of command? Does the present law need to be clarified on this point?

Answer. The Constitution of the United States designates the President as the Commander in Chief of the Armed Forces, to achieve the fundamental objective of the founders of our Democracy to make certain that the operation of the Armed Forces is under the firm control of the *highest* civilian in our government.

The National Security Act, passed by Congress on 24 July 1947 created the Office of the Secretary of Defense with executive authority over the Service Secretaries and the Armed Forces. This authority was significantly increased by the Reorganization Act of 1958. Specifically, referring to the chain of authority concerning the Unified and Specified Commands the Act states: "Such combatant commands are responsible to the President and the Secretary of Defense, for such military missions as may be assigned them by the Secretary of Defense . . ." In addition, while the Act of 1958 did require the Secretary of Defense to delegate in writing to the many Assistant Secretaries of Defense authority to issue orders to the Service Secretaries it had one critical omission: The Congress did *not* authorize or forbid those in the Defense Department hierarchy below the Secretary to issue orders to the Joint Chiefs of Staff and the Unified Commands. Therein lies a problem that was evident almost daily during the Vietnam War.

Experience to date makes it clear that the present chain of command as established by existing law depends heavily on personal relationships and attitudes. If the Secretary of Defense or his staff decide to preempt and overrule the professional recommendations of the Joint Chiefs of Staff they can do so within the bounds set by law without the Commander in Chief ever being aware of the Joint Chiefs of Staff position. In addition, if the Secretary of Defense and the National Security

Council staff do not work together in close harmony, the Chairman and other members of the Joint Chiefs of Staff could receive direct orders from the President which have not been transmitted in advance to the Secretary of Defense. The Chairman of the Joint Chiefs of Staff is then faced with the task of "closing the loop" and making certain that the Secretary of Defense is in effect brought into the problem from the back door. During the time that the office of the Secretary of Defense has been in existence, i.e. since 1947, the above situations have come about.

For instance, during the term of Secretary McNamara the Joint Chiefs of Staff's military advice was not accepted and, in effect, there were occasions when the President was urged not to accept their advice. This meant that the staff of the Secretary of Defense in fact became the agency issuing military directives dealing with highly professional subjects on tactics and military action in general, while the United States was engaged in a war.

Immediately after I became Chief of Naval Operations in 1967, Senator Stennis, as a result of the broad difference of opinion concerning the way the air war against North Vietnam should be conducted, directed his Preparedness Subcommittee to hold hearings on the subject. I respectfully recommend that the members of the Committee carefully study the Senate Subcommittee's report which contains the following:

"... the plain fact as the uniformed commanders' testimony demonstrated clearly is that the civilian authorities consistently overruled the unanimous recommendations of the military commanders and the Joint Chiefs of Staff for a systematic, timely and hard-hitting integrated campaign against vital North Vietnam targets. Instead, for policy reasons, we have employed military aviation in a carefully controlled restricted and graduated buildup in bombing pressure which discounted the professional judgment of our best military experts and substituted civilian judgment in the details of target selection and the timing of strategy. We shackled the true potential of airpower and permitted the buildup of what has become the worst, most formidable anti-aircraft defense. It is not our intent to point a finger or to second-guess those who have determined policy but the bold fact is that this policy has not done the job and it has been contrary to the best military judgment... as between these diametrically opposed views of the Secretary of Defense and the military experts and in view of the unsatisfactory progress of the war, logic and prudence require that the decisions be made with the unanimous weight of professional judgment.

"It is high time, we believe, to allow the military voice to be heard in connection with the tactical details of a military operation."

The Senate Preparedness Subcommittee did not suggest that the command system was not working within the limits of the law. Rather it set forth clear reasons as to why the system was not working even though legal.

During the Nixon administration the situation became somewhat different. In this case the difficulty in relationships was primarily between the Secretary of Defense and the President and members of the National Security Staff in the White House. Nevertheless, in both cases the result was often the same. It was difficult to inject military advice into the specific courses of action which were finally followed.

In view of the above, Mr. Chairman, I recommend that the laws dealing with the chain of command from the Commander-in-Chief to the combat forces be clarified. At the very least the law should get the Office of the Secretary of Defense out of military direction of the Armed Services and make certain that the Commander-in-Chief and the Congress receive the unfiltered and unmodified counsel of the nation's military leaders, as represented in the corporate body of the Joint Chiefs of Staff. (In my opinion, none of the last several Presidents met with the Joint Chiefs on an eye to eye basis as often as necessary, although recently the situation has significantly improved.)

In order to facilitate the above, it is strongly recommended that the Chairman of the Joint Chiefs of Staff be designated by law as an official member of the National Security Council. This will insure the presence of a military professional during debates over crisis management.

(End of Statement.)

Mr. Chairman, I would be pleased to discuss this vital matter in more detail if you and your Committee so desire. In any event, I sincerely hope that the Committee can change the law in such a way that we will never again be involved in a no-win situation directed by those completely ignorant of military operations. The mili-

tary commanders should be told what to do but certainly they should not be told how to do it.

Sincerely,

THOMAS H. MOORER,
Admiral, U.S. Navy (Ret.).

[Whereupon, at 12 noon, the subcommittee was adjourned, subject to the call of the Chair.]

[After markup, the subcommittee reported H.R. 3718, the "Joint Chiefs of Staff Reorganization Act of 1983." The bill follows:]

Union Calendar No. 234

98TH CONGRESS
1ST SESSION

H. R. 3718

[Report No. 98-382]

To amend title 10, United States Code, to strengthen the position of Chairman of the Joint Chiefs of Staff and to provide for more efficient and effective operation of the Joint Chiefs of Staff.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 1983

Mr. NICHOLS (for himself, Mr. HOPKINS, Mr. KAZEN, Mr. RAY, Mr. BRITT, Mr. KASICH, Mr. STRATTON, Mr. DANIEL, Mr. MARTIN of New York, and Mr. DANIEL B. CRANE) introduced the following bill; which was referred to the Committee on Armed Services

SEPTEMBER 27, 1983

Additional sponsors: Mr. MONTGOMERY, Mr. DICKINSON, Mr. HUTTO, Mr. WHITEHURST, Mr. MCCURDY, Mr. BADHAM, Mr. FOGLIETTA, Mrs. LLOYD, Mr. COURTER, Mr. MCCLOSKEY, Mr. KRAMEE, Mr. COLEMAN of Texas, Mr. SKELTON, Mr. DYSON, and Mr. BENNETT

SEPTEMBER 27, 1983

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend title 10, United States Code, to strengthen the position of Chairman of the Joint Chiefs of Staff and to provide for more efficient and effective operation of the Joint Chiefs of Staff.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SHORT TITLE**

4 **SECTION 1.** This Act may be cited as the "Joint Chiefs
5 of Staff Reorganization Act of 1983".

6 **CHAIN OF COMMAND**

7 **SEC. 2. (a)** Subsection (a) of section 124 of title 10,
8 United States Code, is amended by striking out "shall" in
9 clause (2).

10 **(b)** Subsection (c) of such section is amended—

11 (1) by inserting "(1)" after "(c)"; and

12 (2) by adding at the end thereof the following new
13 paragraphs:

14 "(2) The national military chain of command runs from
15 the President to the Secretary and through the Chairman of
16 the Joint Chiefs of Staff to the combatant commands. Orders
17 to combatant commands shall be issued by the President or
18 the Secretary through the Chairman of the Joint Chiefs of
19 Staff.

20 "(3) Subject to the authority, direction, and control of
21 the Secretary, the Chairman supervises the commanders of
22 the combatant commands and acts as their spokesman on
23 operational requirements."

1 **CHAIRMAN OF JOINT CHIEFS OF STAFF**

2 **SEC. 3. (a) Subsection (b) of section 142 of title 10,**
3 **United States Code, is amended—**

4 **(1) in clause (2)—**

5 **(A) by striking out “and assist” and inserting**
6 **in lieu thereof “, assist”; and**

7 **(B) by striking out “practicable; and” and in-**
8 **serting in lieu thereof “practicable, and determine**
9 **when issues under consideration shall be decid-**
10 **ed;”; and**

11 **(2) by adding at the end thereof the following new**
12 **clauses:**

13 **“(4) provide military advice in his own right to**
14 **the President, the National Security Council, and the**
15 **Secretary of Defense;**

16 **“(5) serve in the national military chain of com-**
17 **mand pursuant to section 124(c) of this title; and**

18 **“(6) serve as a member of the National Security**
19 **Council.”.**

20 **(b) Subsection (c) of such section is amended by insert-**
21 **ing “, except as provided by section 124(c) of this title, over”**
22 **immediately after “or” in the second sentence.**

23 **JOINT STAFF**

24 **SEC. 4. (a) Subsection (a) of section 143 of title 10,**
25 **United States Code, is amended to read as follows:**

1 “(a)(1) There is under the Joint Chiefs of Staff a Joint
2 Staff consisting of officers selected by the Chairman of the
3 Joint Chiefs of Staff. The Joint Staff shall be selected in
4 approximately equal numbers from—

5 “(A) the Army;

6 “(B) the Navy and the Marine Corps; and

7 “(C) the Air Force.

8 “(2) Selection of officers of an armed force to serve on
9 the Joint Staff shall be made by the Chairman from a list of
10 officers submitted by that armed force. Each officer whose
11 name is submitted shall be among those officers considered to
12 be the most outstanding officers of that armed force. The
13 Chairman may specify the number of officers to be included
14 on any such list.

15 “(3) The tenure of the members of the Joint Staff is
16 subject to the approval of the Chairman of the Joint Chiefs of
17 Staff.

18 (b) Subsection (b) of such section is amended by striking
19 out the second and third sentences.

20 (c) Subsection (c) of such section is amended by striking
21 out “, on behalf of the Joint Chiefs of Staff” and inserting in
22 lieu thereof “in the performance of those duties”.

23 (d) Subsection (d) of such section is amended by insert-
24 ing “and the Chairman” after “Joint Chiefs of Staff”.

1 (e) Such section is further amended by adding at the end
2 thereof the following new subsections:

3 “(e) An officer who is assigned or detailed to duty on
4 the Joint Staff may not serve for a tour of duty of more than
5 four years. However, such a tour of duty may be extended
6 with the approval of the Secretary of Defense. An officer
7 completing a tour of duty with the Joint Staff may not be
8 assigned or detailed to duty on the Joint Staff within two
9 years after relief from that duty except with the approval of
10 the Secretary. This subsection does not apply in time of war
11 declared by Congress or in time of national emergency de-
12 clared by the President.

13 “(f)(1) Subject to guidelines established by the Secretary
14 of Defense, each officer serving as a chief of service or as the
15 commander of a unified or specified command may have an
16 opportunity to provide formal comments on any report or rec-
17 ommendation of the Joint Staff prepared for submittal to the
18 Joint Chiefs of Staff before such report or recommendation is
19 submitted to the Joint Chiefs of Staff. A copy of any such
20 comment shall, at the discretion of the officer submitting the
21 comment, be included as an appendix in the submittal of such
22 report or recommendation to the Joint Chiefs of Staff. For
23 purposes of this paragraph, the chiefs of service are the Chief
24 of Staff of the Army, the Chief of Naval Operations, the

6

1 Chief of Staff of the Air Force, and the Commandant of the
2 Marine Corps.

3 “(2) The Secretary of Defense shall ensure that the
4 Joint Staff is independently organized and operated so that
5 the Joint Staff, and the members of the Joint Staff, support
6 the Chairman of the Joint Chiefs of Staff and the Joint
7 Chiefs of Staff in meeting the congressional purpose set forth
8 in the last clause of section 2 of the National Security Act of
9 1947 (50 U.S.C. 401) to provide for the unified strategic
10 direction of the combatant forces, for their operation under
11 unified command, and for their integration into an efficient
12 team of land, naval, and air forces.”.

13 PERSONNEL MANAGEMENT PROVISIONS

14 SEC. 5. (a)(1) Chapter 36 of title 10, United States
15 Code, is amended by adding at the end thereof the following
16 new section:

17 “§ 346. Consideration of performance as a member of the
18 Joint Staff

19 “The Secretary of Defense, in consultation with the
20 Chairman of the Joint Chiefs of Staff, shall ensure that offi-
21 cer personnel policies of the armed forces concerning promo-
22 tion, retention, and assignment give appropriate considera-
23 tion to the performance of an officer as a member of the Joint
24 Staff.”.

1 (2) The table of sections at the beginning of subchapter
2 V of such chapter is amended by adding at the end thereof
3 the following new item:

“646. Consideration of performance as a member of the Joint Staff.”.

4 (b) Section 601 of such title is amended by adding at the
5 end thereof the following new subsection:

6 “(d) In the case of an officer who is selected for recom-
7 mendation to the President for an initial appointment to a
8 grade above major general or rear admiral, the Chairman of
9 the Joint Chiefs of Staff shall submit to the President, at the
10 same time as the recommendation for such appointment is
11 submitted, the evaluation of the Chairman of the performance
12 of that officer as a member of the Joint Staff and in other
13 assignments involving joint military experience.”.

14 **CHAIRMAN OF THE JOINT CHIEFS OF STAFF TO BE**

15 **MEMBER OF NATIONAL SECURITY COUNCIL**

16 **SEC. 6.** Section 101 of the National Security Act of
17 1947 (50 U.S.C. 402) is amended by striking out “the Direc-
18 tor for Mutual Security” and inserting in lieu thereof “the
19 Chairman of the Joint Chiefs of Staff”.